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ABSTRACT

Digests of laws with particular reference to their educational and training features are reported in this comprehensive record of the enactments by the 90th Congress during its second session of 1968. Included are acts relating to training and education that concern students, teachers, or education institutions. The information for this report was obtained from the weekly compilation of Presidential Documents, the Calendars of the House of Representatives, the Digest of Public General Bills and Selected Resolutions, the texts of individual bills, the House and Senate hearings and committee reports on these bills, and the Statutes at Large. Sections in the document report the legislative history, digest, and text of each bill, a summary of the legislation, and presidential recommendations and statements concerning education and training. (Not available in hard copy due to marginal legibility of original document). (SB)

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COMMITTEE PRINT

ENACTMENTS BY THE 90TH CONGRESS CONCERNING EDUCATION AND TRAINING

Second Session 1968

(With Related Presidential Recommendations,
Legislative Histories of the Bills, and
Digests of the Enactments)

PREPARED IN THE
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OF THE
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FOR THE
COMMITTEE ON LABOR AND
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UNITED STATES SENATE

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JUNE 1969

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FOREWORD

At the request of the Subcommittee on Education, the Legislative Reference Service of the Library of Congress has performed a public service in preparing for the use of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare a report entitled "Enactments by the 90th Congress Concerning Education and Training, Second Session 1968."

The present work is the fifth in a series prepared at the request of the committee. Much has been accomplished in the field of educational legislation in the past 6 years. A foundation has been laid upon which we must build. The materials contained herein will be most valuable to the committee as we take up the recommendations which will come forth in this year.

On behalf of the Committee on Labor and Public Welfare I wish to express to the Library of Congress my appreciation for the time and effort expended by Mr. Charles Quattlebaum, specialist in education, Senior Specialist Division, who prepared the legislative histories and summaries of the bills and to the American Law Division of the Legislative Reference Service, which is responsible for the preparation of the Annotated Statutes which conclude the volume.

RALPH W. YARBOROUGH,
Chairman, Committee on Labor and Public Welfare.

LETTER OF TRANSMITTAL

U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C., July 7, 1969.

Hon. Ralph W. Yarborough,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: In response to a request from the Education Subcommittee, the Library of Congress has prepared a report entitled "Enactments by the 90th Congress Concerning Education and Training, Second Session 1968."

The report was prepared by Charles A. Quattlebaum, specialist in education on the staff of the Senior Specialists Division of the Legislative Reference Service in the Library of Congress. Since the "Enactments" series was begun originally at your suggestion in the 88th Congress, it gives me great pleasure to transmit to you this fifth report in the series. This series of reports on education and training legislation has been of great service to the committee and the Senate as a whole, and I am sure will continue to be helpful in our work.

Warm regards.

Ever sincerely,

Claiborne Pell,
Chairman, Education Subcommittee.

LETTER OF TRANSMITTAL

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., April 22, 1969.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR PELL: In response to a request from the Senate Subcommittee on Education, I am transmitting a report entitled "Enactments by the 90th Congress Concerning Education and Training, Second Session 1968." The report was prepared by Charles A. Quattlebaum, Specialist in Education on the staff of the Senior Specialists Division of the Legislative Reference Service. He was assisted by Howard R. L. Cook, Library Assistant on the staff of that Division of the Service.

This is the fifth report of its kind prepared in the Legislative Reference Service. The first report, covering the enactments of both sessions of the 88th Congress, was originally requested by Senator Ralph W. Yarborough, who transmitted it to Senator Wayne Morse, then Chairman of the Subcommittee on Education. This report was printed for the use of the Committee on Labor and Public Welfare in late 1964. The second, third and fourth reports, each requested by the Chairman of the Subcommittee, and each covering one later session of Congress, were printed for the use of the Committee on Labor and Public Welfare in 1966, 1967 and 1968 respectively.

The purpose and scope of the present report are briefly stated in the introduction.

Sincerely yours,

LESTER S. JAYSON,
Director, Legislative Reference Service.

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ENACTMENTS BY THE 90TH CONGRESS CONCERNING EDUCATION AND TRAINING, SECOND SESSION, 1968

CHAPTER I. INTRODUCTION

1. PURPOSE OF THIS REPORT

The main purpose of this report is to provide a comprehensive record of the enactments by the 90th Congress during its second session, 1968, concerning education and training. Besides giving the texts of the enactments, the report presents digests of these laws, with particular reference to their educational and training features or aspects. The report also cites related recommendations and statements by President Johnson, and summarizes the legislative histories of the enacted bills containing educational and training provisions of significance. The report incidentally includes some selected comments from the public press relative to action on some of these bills.

2. SCOPE OF THE REPORT

This report covers legislation relating generally to education and training. In the broadest sense, the former term includes the latter. It would be presumptuous, however, to attempt to define in this report precisely what legislation Congress would consider pertinent to or affecting education. Since the report is intended to be comprehensive, it includes acts relating to training as well as those relating to education, and acts concerning students, teachers, or educational institutions. Thus, the report covers a variety of legislation and legislative objectives. Apart from the omission of some appropriation measures,[1] the aim is to include both legislation involving direct Federal financing and administration of educational and training activities, and legislation involving forms of Federal aid to States, localities, institutions, and individuals in these fields. In some instances the legislative provisions included are subsidiary parts of legislation principally concerned with other matters. In brief, what is here presented in a panoramic view of many diverse measures of current interest concerning education and training.

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[1] All of the departments and nearly all of the independent agencies of the Government administer some educational or training programs. This report includes certain appropriations for only the U.S. Office of Education and some of the larger programs of other agencies affecting education and training, for the fiscal years 1968 and 1969.

3. SOURCES

The information brought together and summarized in this report has been obtained principally from the weekly compilation of Presidential Documents, the daily Congressional Record, the Congressional Directory, the Calendars of the House of Representatives, the Digest of Public General Bills and Selected Resolutions, the texts of the bills dealt with, the House and Senate hearings and committee reports on these bills, and the Statutes at Large. Some other sources are cited in footnotes.

CHAPTER II. BILLS REPORTED FROM THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The Legislative Reorganization Act of 1946, which, as amended, is currently effective, lists measures relating to education, labor or public welfare first among those activities to be referred to the Senate Committee on Labor and Public Welfare. Other measures concerned with education and training which are named to be referred to that committee include those relating to vocational rehabilitation, education of veterans, and Howard University. However, the act requires that certain other measures which involve education and training be referred to other named committees of the Senate. For example, the act directs referral of bills relating to the education of Indians to the Senate Committee on Public Lands.

In order to show to some extent the volume of education and training legislation considered by the Committee on Labor and Public Welfare in 1968, the following pages will list first, in chronological order of approval by the President, the enactments which, in the earlier forms of bills, were reported from that committee. The acts which in their earlier forms were reported from other committees of the Senate or were not reported in the Senate will be listed in a later chapter, likewise in the order of approval of the acts by the President.

1. AUTHORIZATION FOR OHIO TO USE THE PROCEEDS FROM THE SALE OF CERTAIN LANDS FOR EDUCATIONAL PURPOSES

(Public Law 90–304, Approved May 13, 1968)

A. Legislative History

H.R. 13176 was introduced on September 27, 1967 by Representative Frances P. Bolton, of Ohio, for herself and 21 other Members of the House. The bill was referred to the Committee on Interior and Insular Affairs. It was reported in the House on March 25, 1968 (H. Rept. 1186). It passed the House on April 1, 1968. It was reported in the Senate, from the Committee on Labor and Public Welfare, on April 29, 1968 (S. Rept. 1096). It passed the Senate on April 30, 1968. It was approved on May 13, 1968 and became Public Law 90–304.

B. Digest of the Act

The act authorizes the State of Ohio to use the proceeds from the sale of certain lands for educational purposes.

29-113 O—69——2

C. Text of the Law

Following is the text of Public Law 90–304.

AN ACT To amend the Acts of February 1, 1826, and February 20, 1833, to authorize the State of Ohio to use the proceeds from the sale of certain lands for educational purposes

State of Ohio. Sale of lands, proceeds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Legislature of the State of Ohio to sell the lands heretofore appropriated for the use of the schools in that State," approved February 1, 1826 (4 Stat. 138), is amended to read as follows: "That the Legislature of the State of Ohio may sell all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within that State and may use the proceeds from the sale of such lands for educational purposes, as the Legislature of the State of Ohio in its discretion shall deem appropriate."

82 Stat. 120.
82 Stat. 121.

Sec. 2. The Act entitled "An Act to authorize the Legislature of the State of Ohio to sell the land reserved for the support of religion in the Ohio Company's and John Cleeves Symmes' purchases", approved February 2, 1833 (4 Stat. 618), is amended to read as follows: "That the Legislature of the State of Ohio may sell all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's and John Cleeves Symmes' purchase in the State of Ohio and may use the proceeds from the sale of such lands for educational purposes, as the Legislature of the State of Ohio in its discretion shall deem appropriate."

2. AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES ACT

(Public Law 90–348, approved June 18, 1968)

A. Legislative History

In the House, H.R. 11308, a bill to amend the National Foundation on the Arts and the Humanities Act of 1965, was introduced on July 10, 1967 by Representative Frank Thompson, Jr., of New Jersey (for himself and 19 other Members of the House. The bill was referred to the Committee on Education and Labor. In the Senate a companion bill, S. 2061, was introduced on June 29, 1967 by Senator Claiborne Pell, of Rhode Island, for himself and 5 other Senators). This bill was referred to the Committee on Labor and Public Welfare.

House hearings on H.R. 11308 were held before the Special Subcommittee on Labor of the Committee on Education and Labor on July 18 and 26, 1967. The record of the hearings was printed in a volume of 149 pages. Joint House-Senate hearings on S. 2061 and H.R. 11308 were held before the Special Subcommittee on Arts and Humanities of the Committee on Labor and Public Welfare together with the Special Subcommittee on Labor of the Committee on Education and Labor on July 12 and 13, 1967. The record of these hearings was printed in a volume of 284 pages. Further Senate hearings on S. 2061 were held before the Special Subcommittee on Arts and Humanities of the Committee on Labor and Public Welfare on August 15 and 16, 1967. The record of these hearings was printed in a volume of 177 pages.

H.R. 11308 was reported in the House, from the Committee on Education and Labor, on January 30, 1968 (H. Rept. 1066). It passed the House on February 27, 1968. It was reported in the Senate, from the Committee on Labor and Public Welfare, on May 3, 1968 (S. Rept. 1103). It passed the Senate, amended, on May 7, 1968. On May 16, 1968 the House asked for a conference and the Senate agreed to a conference. On May 25, 1968 the Senate agreed to the conference report. The conference report was filed on June 3, 1968 (H. Rept. 1511). On June 5, 1968 the House agreed to the conference report. The act was approved on June 18, 1968 and became Public Law 90-348.

B. DIGEST OF THE ACT

The act modifies the National Foundation on the Arts and the Humanities Act of 1965 so as to authorize a program of contracts with (formerly limited to grants-in-aid to) groups or individuals engaged in certain artistic activities, including those promoting scholarship and teaching.

It provides that the National Council on the Arts shall, in addition to performing other prescribed duties: (1) advise the Chairman of the Foundation with respect to policies, programs and procedures and (2) review applications for financial assistance under this act and make recommendations thereon to the Chairman. The act authorizes the Chairman at his discretion to receive money and other property donated, bequeathed or devised to the Endowment, with or without a restriction.

The act authorizes appropriations of $16,000,000, plus funds to match private gifts and administrative funds, for fiscal 1969, and of $18,000,000, plus funds to match private gifts and administrative funds, for fiscal 1970. Limits the aggregate appropriations to match private gifts for 1969 and 1970 to $13,500,000.

C. TEXT OF THE LAW

Following is the text of Public Law 90-348.

AN ACT To amend the National Foundation on the Arts and the Humanities Act of 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 3(f) of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

"(f) The term 'workshop' means an activity the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants, or to promote scholarship and teaching among the participants."

National Foundation on the Arts and Humanities Act of 1965, amendment.
79 Stat. 845.
20 USC 952.
82 Stat. 184.
82 Stat. 185.
National Endowment for the Arts.
Contract authority.
20 USC 954.

Sec. 2. (a) Section 5(c) and section 5(f) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows:

"(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of contracts with, or grants-in-aid to, groups or, in appropriate cases, individuals of exceptional talent engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

"(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

"(2) productions, meeting professional standards or standards of authenticity, irrespective of origin, which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

"(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

"(4) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

"(5) other relevant projects, including surveys, research, and planning in the arts."

Grant limitation.

"(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds alloted by the National Endowment for the Arts for the purposes of subsection (c) for any fiscal year may be available for grants and contracts in that fiscal year without regard to such limitation."

Use of allotted funds.

(b) Section 5(j) and section 5(k) of the National Foundation on the Arts and the Humanities Act of 1965 are amended by inserting after the words "or individual" wherever they appear in such subsections the following: "of exceptional talent".

Sec. 3. Section 5(h) (3) and section 5(h) (5) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows:

"(3) Funds appropriated to carry out the purpose of this section 5(h) for any fiscal year shall be equally alloted among the States."

"(5) All amounts allotted under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c)."

National Council on the Arts. Application review by Chairman. 20 USC 955, 957.

SEC. 4. Section 6(b) and section 8(f) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read follows:

82 Stat. 186. 78 Stat. 905. 20 USC 781 note.

"(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Devolepment Act of 1964, (1) advise the Chairman with respect to policies, programs and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of any application involving $10,000 or less, the Chairman may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairman, and provided that each such action by the Chairman shall be reviewed by the Council."

National Council on the Humanities. Application review by Chairman.

"(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of any application involving $10,000 or less, the Chairman may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairman, and provided that each such action by the Chairman shall be reviewed by the Council."

Donations to an Endowment. 79 Stat. 852. 20 USC 959.

SEC. 5. Section 10 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by:

(a) repealing paragraphs (2) and (3) of subsection (a) and inserting in lieu thereof the following:

"(2) in the discretion of the Chairman of an Endowment, after receiving the recommendation of the National Council of that Endowment, to receive money and other property donated, bequeathed, or devised to that Endowment with or without a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act;"

20 USC 954, 956, 955.

(b) redesignating paragraphs "(4)", "(5)", "(6)", "(7)", and "(8)" as paragraphs "(3)", "(4)", "(5)", "(6)", and "(7)".

(c) amending the text following subsection (a)(8) to read as follows:

“In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment and each Chairman of an Endowment shall have authority to receive such property. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction, such property shall be deemed to have been donated, bequeathed, or devised to that Endowment whose function it is to carry out the purposes or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.”

82 Stat. 187.

Appropriations.
79 Stat. 853.
20 USC 960.
Ante, p. 185.

SEC. 6. Section 11 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

(a) amending subsection (a) to read as follows:

“(a) For the purpose of carrying out section 5(c) and the functions transferred by section 6(a) of this Act, there is hereby authorized to be appropriated to the National Endowment for the Arts $6,000,000 for the fiscal year ending June 30, 1969, and $6,500,000 for the fiscal year ending June 30, 1970; for the purpose of carrying out section 7(c) of this Act there is hereby authorized to be appropriated to the National Endowment for the Humanities $8,000,000 for the fiscal year ending June 30, 1969, and $9,000,000 for the fiscal year ending June 30, 1970. In addition, there is hereby authorized to be appropriated to the National Endowment for the Arts for the purposes of section 5(h) the sum of $2,000,000 for the fiscal year ending June 30, 1969, and $2,500,000 for the fiscal year ending June 30, 1970. Sums appropriated under the authority of this subsection shall remain available until expended. For each subsequent fiscal year such sums may be appropriated as the Congress may hereafter authorize by law to carry out the provisions of this subsection.”

20 USC 956.

Ante, p. 185.

(b) amending subsection (b) to read as follows: **Additional appropriation.**

"(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that the amount so appropriated for the fiscal year ending June 30, 1969, and the amount so appropriated for fiscal year ending June 30, 1970, shall not aggregate more than $13,500,000. Amounts appropriated to an Endowment under this subsection shall remain available until expended. For each subsequent fiscal year such sums may be appropriated as the Congress may hereafter authorize by law to carry out the provisions of this subsection." *Ante*, p. 186.

(c) repealing subsection (c). **Repeal.**

(d) redesignating subsections "(d)" and "(e)" as subsections "(c)" and "(d)".

SEC. 7. Section 3(a) and section 3(b) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows: **Definitions. 79 Stat. 845. 20 USC 952.**

"(a) The term 'humanities' includes, but is not limited to, the study of the following: language, both modern and classical; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; those aspects of the social sciences, which have humanistic content and employ humanistic methods; and the study and application of the humanities to the human environment. **"Humanities."** **82 Stat. 188.**

"(b) The term 'the arts' includes, but is not limited to, music instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of such major art forms, and the study and application of the arts to the human environment." **"The arts."**

3. VOCATIONAL REHABILITATION AMENDMENTS OF 1968

(Largely Involving Vocational Education and Training)

(Public Law 90–391, approved July 7, 1968)

A. LEGISLATIVE HISTORY

In the House, hearings on bills to revise and extend the Vocational Rehabilitation Act were held before the Select Subcommittee on Education of the Committee on Education and Labor on March 27 and 28 and April 2 and 3, 1968. The record of the hearings was printed in a volume of 189 pages.

H.R. 16819, cited as the "Vocational Rehabilitation Amendments of 1968" was introduced on April 25, 1968 by Representative Dominick V. Daniels, of New Jersey (for himself and 24 other Members of the House). The bill was referred to the Committee on Education and Labor. The bill was reported in the House on May 6, 1968 (H. Rept. 1346). It passed the House on May 6, 1968.

In the Senate, on May 17, 1968, hearings were held before the Subcommittee on Health, of the Committee on Labor and Public Welfare, on H.R. 16819 and a similar bill, S. 3213, which had been introduced on March 22, 1968 by Senator Lister Hill, of Alabama. The record of the hearings was printed in a volume of 90 pages.

H.R. 16819 was reported in the Senate, from the Committee on Labor and Public Welfare, on June 21, 1968 (S. Rept. 1309). It passed the Senate, amended, on June 24, 1968. The House agreed to the Senate amendments on June 25, 1968. The act was approved by the President on July 7, 1968 and became Public Law 90–391.

B. Digest of the Act

Following is a digest of Public Law 90–391:

Public Law 90–391 extends and expands generally the provisions of the Vocational Rehabilitation Act. It increases generally the authorized appropriations. It allows additional State allotments (of funds not utilized by States to which they were originally allocated) for the innovation of vocational rehabilitation services when the predetermined fixed allotment is insufficient.

It permits the Secretary of Health, Education, and Welfare upon the request of an agency to authorize share funding and administrative responsibility in order to permit a joint program to provide services to handicapped individuals. Permits counseling, guidance, adjustments, training, maintenance, physical restoration, placement and follow-up services to the handicapped.

The act redefines the term "rehabilitation facility under the act so as to mean a facility which is operated for the primary purpose of assisting handicapped individuals and providing evaluation and work adjustment services for disadvantaged individuals, and which provides singly or in combination one or more of the following services for handicapped individuals: (1) medical, psychological, social, and vocational services; (2) testing, fitting, or training in the use of prosthetic and orthoptic devices; (3) prevocational conditioning or recreational therapy; (4) physical and occupational therapy; (5) speech and hearing pathology; (6) psychological and social services; (7) evaluation; (8) personal and work adjustment; (9) vocational training; (10) evaluation or control of specific disabilities; and (11) extended employment for the severely handicapped who cannot be readily absorbed in the competitive labor market."

The act defines "evaluation and work adjustment services" and "disadvantaged individuals." It sets forth criteria for the Secretary's approval of a State evaluation and work adjustment plan.

C. Text of the Law

Following is the text of Public Law 90–391.

AN ACT To amend the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services, to broaden the scope of goods and services available under that Act for the handicapped, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vocational Rehabilitation Amendments of 1968".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) Section 1(b) (1) of the Vocational Rehabilitation Act is amended by striking out "and" and by inserting before the period at the end thereof the following: ", and for the fiscal year ending June 30, 1971, the sum of $700,000,000".

Vocational Rehabilitation Amendments of 1968.
82 Stat. 297.
82 Stat. 298.
79 Stat. 1282
81 Stat. 250.
29 USC 31.

(b) Section 1(b) (2) of such Act is amended by striking out "and" and by inserting before the period at the end thereof the following: ", for the fiscal year ending June 30, 1969, the sum of $3,200,000, for the fiscal year ending June 30, 1970, the sum of $6,000,000, and for the fiscal year ending June 30 1971, the sum of $10,000,000".

(c) Section 1(b) (3) of such Act is amended by striking out "and" where it appears after "$104,000,000,", and by inserting before the period at the end thereof the following: ", for the fiscal year ending June 30, 1969, the sum of $80,000,000, for the fiscal year ending June 30, 1970, the sum of $115,000,000 and for the fiscal year ending June 3, 1971, the sum of $140,000,000".

(d) Section 1(b) (4) of such Act is amended by striking out "1969" and inserting "1972".

MINIMUM ALLOTMENTS TO STATES

SEC. 3. Section 2(a) of the Vocational Rehabilitation Act is amended by inserting at the end thereof the following: "The allotment to any State (other than the Virgin Islands, Puerto Rico, and Guam) for any fiscal year under the preceding two sentences which is less than $1,000,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments of each of the remaining such States under the preceeding two sentences, but with such adjustments as may be necessary to prevent the allotment of any such remaining States from being thereby reduced to less than that amount."

29 USC 32.

LIMITATION ON USE OF FUNDS FOR CONSTRUCTION

SEC. 4. Section 2(b) of the Vocational Rehabilitation Act is amended by inserting after "for such year" the first time it appears the following: "and such payments shall not be made in an amount which would result in a violation of the provisions of the State plan required by section 5(a) (14)" and by striking out "1965" and inserting in lieu thereof "1969".

***Post*, p. 300.**

PRIVATE CONTRIBUTIONS FOR CONSTRUCTION OR ESTABLISHMENT FACILITIES

SEC. 5. Section 2 of the Vocational Rehabilitation Act is amended by adding at the end thereof following new subsection:

"(c) For the purpose of determining the amount of payments to States for carrying out this section and section 3 with respect to expenditures under a State plan approved under section 5, State funds shall, subject to such limitations and conditions as may be prescribed in regulations of the Secretary, include con-

***Post*, p. 299.**
***Post*, p. 300.**
82 Stat. 299.

tributions of funds made by any private agency, organization, or individual to a State to assist in meeting the costs of construction or establishment of a public or other nonprofit rehabilitation facility, which would be regarded as State funds except for the condition, imposed by the contributor, limiting use of such funds to construction or establishment of such facility."

ALLOTMENTS TO STATES FOR THE INNOVATION OF VOCATIONAL REHABILITATION SERVICES

79 Stat. 1283.
29 USC 33.

SEC. 6. Effective with respect to fiscal years ending after June 30, 1969, section 3 of the Vocational Rehabilitation Act is amended by adding at the end thereof the following new subsection:

"(d) Whenever the Secretary determines that any amount of an allotment to a State for any fiscal year will not be utilized by such State in carrying out the purposes of this section, he shall make such amount available for carrying out the purposes of this section to one or more other States which he determines will be able to use additional amounts during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for purposes of this Act, be regarded as an increase in such State's allotment (as determined under the preceding provisions of this section) for such year."

PROJECTS WITH INDUSTRY; TECHNICAL AMENDMENTS OF SECTION 4

68 Stat. 655;
79 Stat. 1289.
29 USC 34.

79 Stat. 1290.

SEC. 7. (a) (1) The first sentence of section 4(a) of the Vocational Rehabilitation Act is amended by (A) inserting "(1)" after "Secretary shall", (B) striking out "(1)" after "grants", (C) inserting in clause (1) thereof after "several States" the following: ", and problems related to the rehabilitation of the mentally retarded", and (D) amending clause (2) thereof to read as follows: "(2) (A) make grants to States and public and other nonprofit organizations and agencies for paying part of the cost of planning, preparing for, and initiating special programs to expand vocational rehabilitation services in those States where, in the judgment of the Secretary, such action holds promise of yielding a substantial increase in the number of persons vocationally rehabilitated, and sums appropriated for grants under this clause shall remain available for such grants through the close of June 30, 1972, (B) make contracts or jointly financed cooperative arrangements with employers and organizations for the establishment of projects designed to prepare handicapped individuals for gainful employment in the competitive labor market under which handicapped individuals are provided training and employment in a realistic work setting and such other services (determined in accordance with regulations of the Secretary) as may be necessary for such individuals to continue to engage in such employment, (C) make grants to State vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train individuals for new career opportunities in order to provide appropriate manpower in programs serving handicapped individuals and to upgrade or expand those services and (D) make grants to vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train handicapped individuals to provide them with new career opportunities in the fields of rehabilitation, health, welfare, public safety and law enforcement, and other appropriate public service employment."

(2) The second sentence of section 4(a) of the Vocational Rehabilitation Act is amended by striking out "vocational rehabilitation" and inserting in lieu thereof "vocational rehabilitation of the handicapped or to the rehabilitation of the mentally retarded".

82 Stat. 300.
79 Stat. 1290.
29 USC 34.

(b) Section 4 of such Act is amended by striking out subsection (b) and redesignating subsections (c) and (d) as (b) and (c), respectively.

68 Stat. 655.

(c) So much of section 1(b)(3) of such Act as precedes "there is authorized" is amended to read as follows:

79 Stat. 1282.
29 USC 31.

"(3) For the purpose of (A) making grants under section 4(a)(1) for research, demonstrations, training, and traineeships; (B) making grants under clause (2)(A) of section 4(a) for planning, preparing for, and initiating special programs to expand State vocational rehabilitation services; (C) making contracts and jointly financed cooperative arrangements under clause (2)(B) of section 4(a) for projects for providing jobs to handicapped individuals; and (D) making grants under clauses (2) (C) and (D) of section 4(a) to develop new programs to recruit and train individuals for new career opportunities,".

Ante, p. 299.

(d) Section 4(c) of such Act (as so redesignated by subsection (b)) is amended by striking out "section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) and inserting in lieu thereof "section 5703 of title 5, United States Code,".

79 Stat. 1293.
80 Stat. 499.

STATE PLAN REQUIREMENTS

SEC. 8. (a) Section 5(a)(1)(A) of the Vocational Rehabilitation Act is amended by inserting "(i)" after "except that" and by inserting before the semicolon at the end thereof the following: ", and (ii) the Secretary, upon the request of an agency so designated, may authorize such agency to share funding and administrative responsibility with another agency of the State in order to permit such agencies to carry out a joint project to provide services to handicapped individuals, and may waive compliance with respect to vocational rehabilitation services furnished under such joint projects with the requirement of section 5(a)(3) that the plan be in effect in all political subdivisions of the State".

79 Stat. 1291.
29 USC 35.
68 Stat. 657.

(b) Section 5(a)(7) of such Act is amended to read as follows:

"(7) provide that evaluation of rehabilitation potential, counseling and guidance, personal and vocational adjustment, training, maintenance, physical restoration, and placement and followup services will be provided under the plan;".

(c) Section 5(a)(9) of such Act is amended by striking out "Bureau of Old-Age and Survivors Insurance" and inserting in lieu thereof "Social Security Administration".

81 Stat. 253.

(d) Section 5(a) of such Act is further amended by striking out "and" at the end of paragraph (11), by striking out the period at the end of paragraph (12) and inserting a semicolon, and by adding at the end thereof the following:

"(13) provide for continuing statewide studies of the needs of handicapped individuals and how these may be most effectively met; and

"(14) provide that where such State plan includes provisions for the construction of rehabilitation facilities—

"(A) the Federal share of the cost of construction thereof for a fiscal year will not exceed an amount equal to 10 per centum of the State's allotment for such year,

79 Stat. 1284.
29 USC 41a.

"(B) the provisions of subsections (b)(1), (2), and (4), and (e) of section 12 shall be applicable to such construction and such provisions shall be deemed to apply to such construction, and

82 Stat. 301.

"(C) there shall be compliance with regulations of the Secretary designed to assure that no State will reduce its efforts in providing other vocational rehabilitation services because its plan includes such provisions for construction."

EVALUATION OF VOCATIONAL REHABILITATION PROGRAM

68 Stat. 658;
79 Stat. 1291.
29 USC 37.

Sec. 9. Section 7 of the Vocational Rehabilitation Act is amended by adding at the end thereof the following new subsection:

Ante, pp. 298, 300.

"(e) For any fiscal year ending after June 30, 1968, such portion of the appropriations for grants under section 1 as the Secretary may determine, but not exceeding 1 per centum thereof or $1,000,000, whichever is the lesser, shall be available for evaluation by the Secretary (directly or by grants or contracts) of the programs authorized by this Act."

REVISION OF DEFINITIONS

29 USC 41.

Sec. 10. (a) Subsection (a) of section 11 of the Rehabilitation Act is amended to read as follows:

"Vocational rehabilitation services."

"(a)(1) The term 'vocational rehabilitation services' means the following services:

"(A) evaluation, including diagnostic and related services, incidental to the determination of eligibility for and nature and scope of services to be provided;

"(B) counseling, guidance, and placement services for handicapped individuals, including followup services to assist such individuals to maintain their employment;

"(C) training services for handicapped individuals, which shall include personal and vocational adjustment, books, and other training materials;

"(D) reader services for the blind and interpreter services for the deaf; and

"(E) recruitment and training services for handicapped individuals to provide them with new employment opportunities in the fields of rehabilitation, health, welfare, public safety, and law enforcement, and other appropriate service employment.

"(2) Such term also includes, after full consideration of eligibility for any similar benefit by way of pension, compensation, and insurance, the following services and goods provided to, or for the benefit of, a handicapped individual:

"(A) physical restoration services, including, but not limited to (i) corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition which is stable or slowly progressive and constitutes a substantial barrier to employment, but is of such nature that such correction or modification may reasonably be expected to eliminate or substantially reduce the handicap within a reasonable length of time, (ii) necessary hospitalization in connection with surgery or treatment, (iii) prosthetic and orthotic devices, (iv) eye glasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist;

"(B) maintenance, not exceeding the estimated cost of subsistence, during rehabilitation;

"(C) occupational licenses, tools, equipment, and initial stocks and supplies;

"(D) in the case of any type of small business operated by the severely handicapped the operation of which can be improved by management services and supervision provided by the State agency, the provision of such services and supervision, alone or together with the acquisition by the State agency of vending stands or other equipment and initial stocks and supplies;

82 Stat. 302.

"(E) the construction or establishment of public or other nonprofit rehabilitation facilities and the provision of other facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation plan of any one handicapped individual;

"(F) transportation in connection with the rendering of any other vocational rehabilitation service;

"(G) any other goods and services necessary to render a handicapped individual employable;

"(H) services to the families of handicapped individuals when such services will contribute substantially to the rehabilitation of such individuals."

68 Stat. 660.
29 USC 41.

(b) Subsection (c) of section 11 such Act is amended to read as follows:

"Rehabilitation facility."

"(c) The term 'rehabilitation facility' means a facility which is operated for the primary purpose of providing vocational rehabilitation services to, or gainful employment for, handicapped individuals, or for providing evaluation and work adjustment services for disadvantaged individuals, and which provides singly or in combination one or more of the following services for handicapped individuals: (1) Comprehensive rehabilitation services which shall include, under one management, medical, psychological, social, and vocational services, (2) testing, fitting, or training in the use of prosthetic and orthotic devices, (3) prevocational conditioning or recreational therapy, (4) physical and occupational therapy, (5) speech and hearing pathology, (6) psychological and social services, (7) evaluation, (8) personal and work adjustment, (9) vocational training (in combination with other rehabilitation services), (10) evaluation or control of special disabilities, and (11) extended employment for the severely handicapped who cannot be readily absorbed in the competitive labor market; but all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to practice medicine or surgery in the State."

Repeal.
"Workshop."
"Nonprofit."

(c) Subsection (d) of section 11 of such Act is repealed.

(d) Subsection (e) of section 11 of such Act is amended by striking out "or a workshop" and "and a workshop, respectively," and by striking out "101(6) of the Internal Revenue Code" and inserting in lieu thereof "501(c)(3) of the Internal Revenue Code of 1954".

68A Stat. 163.
26 USC 501.

(e) Subsection (f) of section 11 of such Act is amended to read as follows:

Establishment of rehabilitation facility.

"(f) Establishment of a rehabilitation facility means (1) the expansion, remodeling, or alteration of existing buildings necessary to adapt them to rehabilitation facility purposes or to increase their effectiveness for such purposes (subject, however, to such limitations as the Secretary may, by regulation, prescribe in order to prevent impairment of the objectives of, or duplication of, other Federal laws providing Federal assistance in the construction of such facilities), (2) initial equipment of such buildings, and (3) the initial staffing thereof (for a period not to exceed four years and three months)."

"Federal share."
79 Stat. 1294.

***Ante*, p. 298.**

***Supra*.**

82 Stat. 303.

79 Stat. 1284.
29 USC 41a.

(f) Subsection (i) of section 11 of such Act is amended by inserting before the period at the end thereof the following: "for the fiscal year ending June 30, 1969, and 80 per centum for each succeeding fiscal year: except that with respect to payments pursuant to section 2(b) to any State which are used to meet the costs of construction of rehabilitation facilities (as provided in section 11(a)(2)(E)) in such State, the Federal share shall be, for the fiscal year ending June 30, 1969, and for each subsequent fiscal year, the percentage determined in accordance with the provisions of section 12(c) applicable with respect to that State".

"State."
68 Stat. 661.
29 USC 41.

(g) Subsection (g) of section 11 of such Act is amended by inserting before the period of the following: "; and, for purposes of sections 4, 7, 12, and 13 only of this Act, American Samoa and the Trust Territory of the Pacific Islands, and for such purposes the appropriate State agency designated as provided in section 5(a)(1) shall be the Governor of American

Samoa or the High Commissioner of the Trust Territory of the Pacific Islands, as the case may be".

(h) (1) Section 11(h)(2) of the Vocational Rehabilitation Act is amended by striking out "August 31" and inserting in lieu thereof "September 30", and by striking out ": *Provided*" and all that follows down through "1957".

"Allotment percentage."

(2) Section 11(h)(3) of such Act is repealed.

Repeal.
74 Stat. 417.

(3) Section 11(h)(4) of such Act is redesignated section 11(h)(3) and is amended by striking out "and subsection (i)".

(i) Section (11)(j) of the Vocational Rehabilitation Act is amended by adding at the end thereof before the period the following: "by October 1 of the year preceding the fiscal year for which funds are appropriated pursuant to authorization provided for in section 1".

State population.
68 Stat. 661.
Ante, pp. 298, 300.

(j) Section 11 of such Act is further amended by adding at the end thereof the following:

"(l) Except where used in sections 12 and 16, the term 'construction' means the construction of new buildings, the acquisition of existing buildings, initial equipment of such new buildings or newly acquired buildings, and initial staffing thereof (for a period not to exceed four years and three months), and the term 'cost of construction' includes architects' fees and acquisition of land in connection with construction, but does not include the cost of off-site improvements".

"Construction."
79 Stat. 676, 1284.
29 USC 41a, 42.

REHABILITATION FACILITIES CONSTRUCTION AND STAFFING

Sec. 11. (a) (1) The center heading of section 12 of the Vocational Rehabilitation Act is amended to read as follows:

"GRANTS FOR CONSTRUCTION AND STAFFING OF REHABILITATION FACILITIES"

(2) Section 12 of such Act is amended (A) by striking out "workshop or" and "workshops and" wherever such terms appear, (B) by striking out ", as the case may be" at the end of subsection (b)(1), and (C) by striking out "workshop" where it appears in paragraph (3) of the last subsection and inserting in lieu thereof "rehabilitation facility which is primarily a workshop".

(b) Subsection (i) of section 12 of such Act is amended (1) by inserting after "June 30, 1968" the following: "$10,000,000 for the fiscal year ending June 30, 1969, $20,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971", and (2) by striking out "1970" and inserting in lieu thereof "1973".

Appropriation.

REHABILITATION FACILITIES IMPROVEMENT

Sec. 12. (a) The center heading of section 13 of the Vocational Rehabilitation Act is amended to read "REHABILITATION FACILITY IMPROVEMENT".

79 Stat. 1286.
29 USC 41b.

(b) Subsection (a) of such section is amended by striking out "workshops and" in paragraph (1), and by striking out "workshops or" both times it appears in paragraph (3).

82 Stat. 304.
79 Stat. 1287.
29 USC 41b.

(c) Subsection (b) of such section is amended by striking out "Workshop" where it appears in the center heading and inserting "Rehabilitation Facility", and by amending paragraph (1) thereof to read as follows:

"(b)(1) The Secretary is authorized to make grants to public or other nonprofit rehabilitation facilities to pay part of the cost of projects to analyze, improve and increase their professional services to the handicapped, their business management, or any part of their operations affecting their capacity to provide employment and services for the handicapped."

(d) Subsection (c) of such section is amended (1) by striking "Workshops" where it appears in the center heading and inserting "Rehabilitation Facility", (2) by striking out "workshops" in paragraph (1) and inserting "rehabilitation facilities", and (3) by striking out "section 5 of the Administrative Expense Act of 1946 (5 U.S.C. 73b–2)" and inserting in lieu thereof "section 5703 of title 5, United States Code,".

80 Stat. 499.

(e) Subsection (d) of such section is amended by inserting after "subsection (a)" in paragraph (2) the following: "for a rehabilitation facility which is a workshop", and by striking out in paragraph (4) "section 5 of the Administrative Expense Act of 1946 (5 U.S.C. 73b–2)" and inserting in lieu thereof "section 5703 of title 5, United States Code".

(f) Subsection (e) of such section is amended by striking out "workshop or".

Appropriation.

(g) Subsection (f) of such section is amended by striking out "and subsection (b)" and inserting in lieu thereof ", subsection (b), and subsection (c)", and by inserting after "June 30, 1968" the following: "$10,000,000 for fiscal year ending June 30, 1969, $20,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971".

VOCATIONAL EVALUATION AND WORK ADJUSTMENT

SEC. 13. The Vocational Rehabilitation Act is amended (1) by striking out sections 15 and 16, (2) by redesignating sections 17, 18, and 19 as sections 16, 17, and 18, respectively, and (3) by inserting after section 14 the following new section:

79 Stat. 676, 1284–1289; 81 Stat. 251, 252.
29 USC 31 note, 41c–42b.
State allotments.

"VOCATIONAL EVALUATION AND WORK ADJUSTMENT PROGRAM

"SEC. 15. (a)(1) For each fiscal year each State shall be entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated by paragraph (2) of this subsection for meeting the costs described in paragraph (3) of this subsection, as the product of (A) the population of the State, and (B) its allotment percentage (as defined in section 11(h)) bears to the sum of the corresponding products for all the States. The allotment to any State under the preceding sentence for any fiscal year which is less than $50,000 (or such amount as may be specified as a minimum allotment in the Act appropriating sums for such year) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the re-

Ante, p. 303.
Minimum.

maining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

Appropriation.

"(2) There is authorized to be appropriated for carrying out this section $50,000,000 for the fiscal year ending June 30, 1969, $75,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971, and for each succeeding fiscal year only such sums may be appropriated as the Congress may hereafter authorize by law.

82 Stat. 305.

Federal payments.

"(3) The Secretary shall pay to each State an amount equal to 90 per centum of the cost of evaluation and work adjustment services furnished to disadvantaged persons under a plan of such State approved under subsection (d), including the cost of any evaluation and work adjustment services furnished by the designated State vocational rehabilitation agency or agencies for other agencies providing services to disadvantaged individuals under another evaluation program of the State, except that the total of such payments to such State for such fiscal year may not exceed its allotment under paragraph (1) for such year. The cost of evaluation and work adjustment services shall not include any amounts paid by another public or private agency for the provision of evaluation or work adjustment services.

"Evaluation and work adjustment services."

"(4) 'Evaluation and work adjustment services' include, as appropriate in each case, such services as—

"(A) a preliminary diagnostic study to determine that the individual is disadvantaged, has an employment handicap, and that services are needed;

"(B) a thorough diagnostic study consisting of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, cultural, social, and environmental factors which bear on the individual's handicap to employment and rehabilitation potential including, to the degree needed, an evaluation of the individual's personality, intelligence level, educational achievements, work experience, vocational aptitudes and interests, personal and social adjustments, employment opportunities, and other pertinent data helpful in determining the nature and scope of services needed;

"(C) services to appraise the individual's patterns of work behavior and ability to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance, including the utilization of work, simulated or real, to assess and develop the individual's capacities to perform adequately, in a work environment;

"(D) any other goods or services provided to a disadvantaged individual, determined (in accordance with regulations of the Secretary) to be necessary for, and which are provided for the purpose of, ascertaining the nature of the handicap to employment and whether it may reasonably be expected the individual can benefit from vocational rehabilitation services or other services available to disadvantaged individual;

"(E) outreach, referral, and advocacy; and

"(F) the administration of these evaluation and work adjustment services.

"Disadvantaged individuals." 68 Stat. 660. 29 USC 41.

As used in this section, the term 'disadvantaged individuals' means (i) handicapped individuals as defined in section 11(b) of this Act, (ii) individuals disadvantaged by reason of their youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records, or other conditions which constitute a barrier to employment, and (iii) other members of their families when the provision of vocational rehabilitation services to family members is necessary for the rehabilitation of an individual described in clause (i) or (ii).

Restriction. 82 Stat. 305.

"(b) No payment may be made from an allotment under this section with respect to any cost with respect to which any payment is made under any other section of this Act.

"(c) The Secretary shall approve a State evaluation and work adjustment plan which:

82 Stat. 306. State plan. *Ante*, p. 300.

"(1) Designates as the State evaluation and work adjustment agency the same agency designated under section 5(a) of this Act (other than the State blind commission or other agency providing assistance or services to the adult blind).

"(2) Provides for financial participation by the State, which may include non-Federal funds donated to the State.

"(3) Shows the plan, policies, and methods to be followed in providing services under the State evaluation and work adjustment plan and in its administration and supervision, and, in case evaluation and work adjustment services cannot be provided, all disadvantaged individuals who apply for such services, shows the order to be followed in selecting those to whom evaluation and work adjustment services will be provided.

"(4) Provides such methods of administration, other than methods relating to the establishment and maintenance of personnel standards, as are found by the Secretary to be necessary for the proper and efficient administration of the plan.

"(5) Contains provisions relating to the establishment and maintenance of personnel standards and the establishment and maintenance of minimum standards governing the facilities and personnel utilized in the provision of evaluation and work adjustment services consistent with the provisions of the State plan for vocational rehabilitation services.

"(6) Provides that evaluation and work adjustment services will be provided without regard to whether or not the disadvantaged individual is in financial need, except to the extent provided for under paragraph (3).

"(7) Provides that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require to carry out his functions under this section, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

"(8) Provides for cooperation by the State agency with other public and private agencies concerned with disadvantaged individuals and joint undertakings to further the effectiveness of evaluation and work adjustment services for such individuals.

Withholding of payments; appeal.
68 Stat. 658.
29 USC 35.
***Ante*, pp. 298, 299.**

"(d) The Secretary shall discontinue payments under this section in the same manner and on the same basis as he is required by section 5(c) to discontinue payments under sections 2 and 3, and judicial review of such action shall be had in the same manner as is provided in section 5(d) for similar action taken by him under section 5(c).

"(e) Payments under this section may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installment and on such conditions, as the Secretary may determine."

PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

82 Stat. 306.

SEC. 14. The joint resolution entitled "Joint resolution authorizing an appropriation for the work of the President's Committee on National Employ the Physically Handicapped Week", approved July 11, 1949, as amended (63 Stat. 409), is amended (1) by striking out the word "physically" wherever it appears, and (2) by striking out "not to exceed the sum of $500,000" and inserting in lieu thereof "not to exceed the sum of $1,000,000".

79 Stat. 1294.

4. NATIONAL SCIENCE FOUNDATION ACT AMENDMENTS OF 1968

(Public Law 90–407, Approved July 18, 1968)

(NOTE.—"In two—and only two agencies of the Federal Government, education is the agency's primary concern. These are the Office of Education . . . and the National Science Foundation . . ." *The Federal Government and Education.* Presented by Mrs. Green of Oregon. 88th Congress, 1st Session, House Document No. 159. U.S. Government Printing Office, Washington, 1963. page 2.)

A. LEGISLATIVE HISTORY

H.R. 5404, a bill to amend the National Science Foundation Act of 1950, was introduced by Representative Emilio Q. Daddario, of Connecticut, on February 15, 1967. The bill was referred to the Committee on Science and Astronautics. It was reported in the House on March 6, 1967 (H. Rept. 34). It passed the House on April 12, 1967.

In the Senate hearings on the "National Science Foundation Act Amendments of 1968" as proposed in H.R. 5404 and in a different bill (S. 2598, introduced by Senator Edward M. Kennedy of Massachusetts) were held before the Special Subcommittee on Science of the Committee on Labor and Public Welfare on November 15 and 16, 1967. The record of the hearings was printed in a volume of 118 pages.

H.R. 5404 was reported in the Senate, from the Committee on Labor and Public Welfare, on May 21, 1968 (S. Rept. 1137). The bill passed the Senate, amended, on May 24, 1968. The House agreed to the Senate amendments on June 27, 1968. The act was approved by the President on July 18, 1968 and became Public Law 90-407.

B. DIGEST OF THE ACT

The act authorizes and directs the Foundation to perform a number of specific functions including, in brief: (1) to initiate and support basic scientific research and programs to strengthen scientific research potential; (2) to award scholarships and graduate fellowships in the sciences; (3) to foster the interchange of scientific information among scientists; (4) to support the development of computer and other technologies; (5) to evaluate the status and needs of the various sciences; (6) to maintain a current register of scientific and technical personnel, and (7) to maintain a program for the determination of the total amount of money for scientific research.

The act authorizes the Foundation to support scientific research at academic and other nonprofit institutions. It sets forth strengthening of research and education in the sciences as being an objective of the Foundation.

The act provides for the appointment of a 24-member National Science Board and prescribes the term of office of its members and the time of meeting and certain powers of the Board. The act sets forth specifics governing the appointment, compensation, and powers and duties of the Director. It establishes the positions of Deputy Director and four Assistant Directors to be appointed by the President with the advice and consent of the Senate. The act establishes a five-member Executive Committee with such powers and duties as the Board may delegate to it.

The act requires an annual report to the President for submission to the Congress from the Foundation as well as from the National Science Board, and requires an annual report from the Executive Committee to the Board.

C. TEXT OF THE LAW

Following is the text of Public Law 90-407.

Stat. 360

AN ACT To amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes

National Science
Foundation Act of
1950, amendments.
64 Stat. 149.
42 USC 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the National Science Foundation Act of 1950 is amended to read as follows:

"FUNCTIONS OF THE FOUNDATION

"SEC. 3. (a) The Foundation is authorized and directed—

"(1) to initiate and support basic scientific research and programs to strengthen scientific research potential in the mathematical, physical, medical, biological, engineering, social, and other sciences, by making contracts or other arrangements (including grants, loans, and other forms of assistance) to support such scientific activities and to appraise the impact of research upon industrial development and upon the general welfare;

"(2) to award, as provided in section 10, scholarships and graduate fellowships in the mathematical, physical, medical, biological, engineering, social, and other sciences;

"(3) to foster the interchange of scientific information among scientists in the United States and foreign countries;

"(4) to foster and support the development and use of computer and other scientific methods and technologies, primarily for research and education in the sciences;

(5) to evaluate the status and needs of the various sciences as evidenced by programs, projects, and studies undertaken by agencies of the Federal Government, by individuals, and by public and private research groups, employing by grant or contract such consulting services as it may deem necessary for the purpose of such evaluations; and to take into consideration the results of such evaluations in correlating the research and educational programs undertaken or supported by the Foundation with programs, projects, and studies undertaken by agencies of the Federal Government, by individuals, and by public and private research groups;

"(6) to maintain a current register of scientific and technical personnel, and in other ways to provide a central clearinghouse for the collection, interpretation, and analysis of data on the availability of, and the current and projected need for, scientific and technical resources in the United States, and to provide a source of information for policy formulation by other agencies of the Federal Government; and

"(7) to initiate and maintain a program for the determination of the total amount of money for scientific research, including money allocated for the construction of the facilities wherein such research is conducted, received by each educational institution and appropriate nonprofit organization in the United States, by grant, contract, or other arrangement from agencies of the Federal Government, and to report annually thereon to the President and the Congress.

Reports to President and Congress.

"(b) The Foundation is authorized to initiate and support specific scientific activities in connection with matters relating to international cooperation or national security by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of such scientific activities. Such activities when initiated or supported pursuant to requests made by the Secretary of State or the Secretary of Defense shall be financed solely from funds transferred to the

82 Stat. 361.

p. 366.

Foundation by the requesting Secretary as provided in section 15(g), and any such activities shall be unclassified and shall be identified by the Foundation as being undertaken at the request of the appropriate Secretary.

"(c) In addition to the authority contained in subsections (a) and (b), the Foundation is authorized to initiate and support scientific research, including applied research, at academic and other nonprofit institutions. When so directed by the President, the Foundation is further authorized to support, through other appropriate organizations, applied scientific research relevant to national problems involving the public interest. In exercising the authority contained in this subsection, the Foundation may employ by grant or contract such consulting services as it deems necessary, and shall coordinate and correlate its activities with respect to any such problem with other agencies of the Federal Government undertaking similar programs in that field.

"(d) The Board and the Director shall recommend and encourage the pursuit of national policies for the promotion of basic research and education in the sciences.

"(e) In exercising the authority and discharging the functions referred to in the foregoing subsections, it shall be one of the objectives of the Foundation to strengthen research and education in the sciences, including independent research by individuals, throughout the United States, and to avoid undue concentration of such research and education.

Report to President.

"(f) The Foundation shall render an annual report to the President for submission on or before the 15th day of January of each year to Congress, summarizing the activities of the Foundation and making such recommendations as it may deem appropriate. Such report shall include information as to the acquisition and disposition by the Foundation of any patents and patent rights."

National Science Board.
64 Stat. 150.
42 USC 1863.

SEC. 2. Section 4 of the National Science Foundation Act of 1950 is amended to read as follows:

"NATIONAL SCIENCE BOARD

Membership.

"SEC. 4. (a) The Board shall consist of twenty-four members to be appointed by the President, by and with the advice and consent of the Senate, and of the Director ex officio. In addition to any powers and functions otherwise granted to it by this Act, the Board shall establish the policies of the Foundation.

Post, p. 364.

"(b) The Board shall have an Executive Committee as provided in section 7, and may delegate to it or to the Director or both such of the powers and functions granted to the Board by this Act as it deems appropriate.

"(c) The persons nominated for appointment as members of the Board (1) shall be eminent in the fields of the basic, medical, or social sciences, engineering, agriculture, education, research management, or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and

(3) shall be so selected as to provide representation of the views of scientific leaders in all areas of the Nation. The President is requested, in the making of nominations of persons for appointment as members, to give due consideration to any recommendations for nomination which may be submitted to him by the National Academy of Sciences, the National Association of State Universities and Land Grant Colleges, the Association of American Universities, the Association of American Colleges, the Association of State Colleges and Universities, or by other scientific or educational organizations.

82 Stat. 362.

Term of office.

"(d) The term of office of each member of the Board shall be six years; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Any person, other than the Director, who has been a member of the Board for twelve consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such twelfth year.

Meetings.

"(e) The Board shall meet annually on the third Monday in May unless, prior to May 10 in any year, the Chairman has set the annual meeting for a day in May other than the third Monday, and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail or certified mail mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

Chairman and Vice Chairman.

"(f) The election of the Chairman and Vice Chairman of the Board shall take place at each annual meeting occurring in an even-numbered year. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such vacancy.

Report to President.

"(g) The Board shall render an annual report to the President, for submission on or before the 31st day of January of each year to the Congress, on the status and health of science and its various disciplines. Such report shall include an assessment of such matters as national scientific resources and trained manpower, progress in selected areas of basic scientific research, and an indication of those aspects of such progress which might be applied to the needs of American society. The report may include such recommendations as the Board may deem timely and appropriate.

Staff.

"(h) The Board may, with the concurrence of a majority of its members, permit the appointment of a staff consisting of not more than five professional staff members and such clerical staff members as may be necessary. Such staff shall be appointed by the Director and assigned at the direction of the Board. The professional members of such staff may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions

80 Stat. 443.
5 USC 5101.
33 F.R. 8641.
Post, p. 365.

of chapter 51 of such title relating to classification, and compensated at a rate not exceeding the appropriate rate provided for individuals in grade GS–15 of the General Schedule under section 5332 of such title, as may be necessary to provide for the performance of such duties as may be prescribed by the Board in connection with the exercise of its powers and functions under this Act. Each appointment under this subsection shall be subject to the same security requirements as those required for personnel of the Foundation appointed under section 15(a).

"(i) The Board is authorized to establish such special commissions as it may from time to time deem necessary for the purposes of this Act.

"(j) The Board is also authorized to appoint from among its members such committees as it deems necessary, and to assign to committees so appointed such survey and advisory functions as the Board deems appropriate to assist in exercising its powers and functions under this Act."

64 Stat. 151;
73 Stat. 467.
42 USC 1864.

SEC. 3. Section 5 of the National Science Foundation Act of 1950 is amended to read as follows:

"DIRECTOR OF THE FOUNDATION

Director.
Appointment, compensation.
80 Stat. 460.

"SEC. 5. (a) The Director of the Foundation (referred to in this Act as the 'Director') shall be appointed by the President, by and with the advice and consent of the Senate. Before any person is appointed as Director, the President shall afford the Board an opportunity to make recommendations to him with respect to such appointment. The Director shall receive basic pay at the rate provided for level II of the Executive Schedule under section 5313 of title 5, United States Code, and shall serve for a term of six years unless sooner removed by the President.

"(b) Except as otherwise specifically provided in this Act (1) the Director shall exercise all of the authority granted to the Foundation by this Act (including any powers and functions which may be delegated to him by the Board), and (2) all actions taken by the Director pursuant to the provisions of this Act (or pursuant to the terms of a delegation from the Board) shall be final and binding upon the Foundation.

"(c) The Director may from time to time make such provisions as he deems appropriate authorizing the performance by any other officer, agency, or employee of the Foundation of any of his functions under this Act, including functions delegated to him by the Board; except that the Director may not redelegate policymaking functions delegated to him by the Board.

"(d) The formulation of programs in conformance with the policies of the Foundation shall be carried out by the Director in consultation with the Board.

Post, p. 365.

"(e) The Director shall not make any contract, grant, or other arrangement pursuant to section 11(c) without the prior approval of the Board, except that a grant, contract, or other arrangement involving a total commitment of less than $2,000,000, or less than $500,000 in any one year, or a commitment of such lesser amount or amounts and subjects to such other conditions as the Board in its discretion may from time to time determine to be appropriate and publish in the Federal Register, may be made if such action is taken pursuant to the terms and conditions set forth by the Board, and if each such action is reported to the Board at the Board meeting next following such action.

Publication in Federal Register.

"(f) The Director, in his capacity as ex officio member of the Board, shall, except with respect to compensation and tenure, be coordinate with the other members of the Board. He shall be a voting member of the Board and shall be eligible for election by the Board as Chairman or Vice Chairman of the Board."

SEC. 4. The National Science Foundation Act of 1950 is further amended by striking out section 8, by redesignating sections 6 and 7 as sections 7 and 8, respectively, and by inserting after section 5 the following new section:

Deputy Director, Assistant Directors. Appointment and compensation.
64 Stat. 151, 152.
42 USC 1865–1867.

"DEPUTY DIRECTOR AND ASSISTANT DIRECTORS

"SEC. 6. (a) There shall be a Deputy Director of the Foundation (referred to in this Act as the 'Deputy Director'), who shall be appointed by the President, by and with the advice and consent of the Senate. Before any person is appointed as Deputy Director, the President shall afford the Board and the Director an opportunity to make recommendations to him with respect to such appointment. The Deputy Director shall receive basic pay at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code, and shall perform such duties and exercise such powers as the Director may prescribe. The Deputy Director shall act for, and exercise the powers of, the Director during the absence or disability of the Director or in the event of a vacancy in the office of Director.

81 Stat. 638.
82 Stat. 364.

"(b) There shall be four Assistant Directors of the Foundation (each referred to in this Act as an 'Assistant Director'), who shall be appointed by the President, by and with the advice and consent of the Senate. Before any person is appointed as an Assistant Director, the President shall afford the Board and the Director an opportunity to make recommendations to him with respect to such appointment. Each Assistant Director shall receive basic pay at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code, and shall perform such duties and exercise such powers as the Director may prescribe."

81 Stat. 638.

SEC. 5. The section of the National Science Foundation Act of 1950 redesignated as section 7 by section 4 of this Act is amended to read as follows:

64 Stat. 151;
73 Stat. 467.
42 USC 1865.

"EXECUTIVE COMMITTEE

"SEC. 7. (a) There shall be an Executive Committee of the Board (referred to in this Act as the 'Executive Comittee'), which shall be composed of five members and shall exercise powers and functions as may be delegated to it by the Board.

Four of the members shall be elected as provided in subsection (b), and the Director ex officio shall be the fifth member and the chairman of the Executive Committee.

"(b) At each of its annual meetings the Board shall elect two of its members as members of the Executive Committee, and the Executive Committee members so elected shall hold office for two years from the date of their election. Any person, other than the Director, who has been a member of the Executive Committee for six consecutive years shall thereafter be ineligible for service as a member thereof during the two-year period following the expiration of such sixth year. For the purposes of this subsection, the period between any two consecutive annual meetings of the Board shall be deemed to be one year.

"(c) Any person elected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was elected shall be elected for the remainder of such term.

Report.

"(d) The Executive Committee shall render an annual report to the Board, and such other reports as it may deem necessary, summarizing its activities and making such recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the Executive Committee shall be included in such reports."

64 Stat. 152.
42 USC 1866.

SEC. 6. The section of the National Science Foundation Act of 1950 redesignated as section 8 by section 4 of this Act is amended to read as follows:

"DIVISIONS WITHIN THE FOUNDATION

"SEC. 8. There shall be within the Foundation such Divisions as the Director, in consultation with the Board, may from time to time determine."

42 USC 1868.

SEC. 7. Section 9(a) of the National Science Foundation Act of 1950 is amended by striking out "section 3(a)(7)" and inserting in lieu thereof "section 4(i)".

73 Stat. 468.
42 USC 1869.

SEC. 8. Section 10 of the National Science Foundation Act of 1950 is amended—

(1) by inserting "social," after "engineering,"; and

(2) by striking out "among the States, Territories, possessions, and the District of Columbia" and inserting in lieu thereof "throughout the United States".

82 Stat. 365.
64 Stat. 153
42 USC 1870.

SEC. 9 (a) Section 11(c) of the National Science Foundation Act of 1950 is amended—

(1) by striking out "basic";

(2) by striking out "research" each place it appears;

(3) by inserting "Secretary of State or" before "Secretary of Defense"; and

(4) by striking out "the national defense" and inserting in lieu thereof "international cooperation or national security".

(b) Section 11(d) of such Act is amended by striking out "research" and inserting in lieu thereof "activities".

(c) Section 11(h) of such Act is amended by striking out "section 5 of the Act of August 2, 1946 (5 U.S.C. 73b–2)" and inserting in lieu thereof "section 5703 of title 5, United States Code,".

80 Stat. 499.

(d) Section 11 of such Act is further amended by striking out the word "and" at the end of clause (h), by striking out the period at the end of clause (i) and inserting in lieu thereof a semicolon and the word "and", and by inserting at the end thereof a new clause as follows:

"(j) to arrange with and reimburse the heads of other Federal agencies for the performance of any activity which the Foundation is authorized to conduct."

Sec. 10. Section 13(a) of the National Science Foundation Act of 1950 is amended—

73 Stat. 468.

(1) by striking out ", with the approval of the Board,"; and

(2) by striking out "section 16(d)(2)" and inserting in lieu thereof "section 15(d)(2)".

Sec. 11. Effective September 1, 1968—

Repeal.
72 Stat. 353.
42 USC 1872a.
42 USC 1862.

(1) section 14 of the National Science Foundation Act of 1950 is repealed, and notwithstanding the provisions of the first section of this Act, until such date the provisions of section 3(a)(9) of such Act of 1950 shall remain in effect for the purposes of such section 14; and

(2) sections 15, 16, and 17 of such Act, and all references thereto in such Act, are redesignated as sections 14, 15, and 16, respectively.

64 Stat. 156;
72 Stat. 353.
42 USC 1873–1875.

Sec. 12. (a) Section 15 of the National Science Foundation Act of 1950 is amended to read as follows:

"MISCELLANEOUS PROVISIONS

"Sec. 15. (a) The Director shall, in accordance with such policies as the Board shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Except as provided in section 4(h), such appointments shall be made and such compensation shall be fixed in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates: *Provided*, That the Director may, in accordance with such policies as the Board shall from time to time prescribe, employ such technical and professional personnel and fix their compensation, without regard to such provisions, as he may deem necessary for the discharge of the responsibilities of the Foundation under this Act. The members of the special commissions shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

Ante, p. 362.

80 Stat. 443, 467.
5 USC 5101, 5331.
33 F.R. 8641.

"(b) Neither the Director, the Deputy Director, nor any Assistant Director shall engage in any other business, vocation,

82 Stat. 365.

or employment while serving in such position; nor shall the Director, the Deputy Director, or any Assistant Director, except with the approval of the Board, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Foundation makes any grant, contract, or other arrangement under this Act.

"(c) The Foundation shall not, itself, operate any laboratories or pilot plants.

Compensation, travel expenses.

"(d) The members of the Board and the members of each special commission shall receive compensation at the rate of $100 for each day engaged in the business of the Foundation pursuant to authorization of the Foundation and shall be allowed travel expenses as authorized by section 5703 of title 5, United States Code.

80 Stat. 499.

"(e) Persons holding other offices in the executive branch of the Federal Government may serve as members of special commissions, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

"(f) In making contracts or other arrangements for scientific research, the Foundation shall utilize appropriations available therefor in such manner as will in its discretion best realize the objectives of (1) having the work performed by organizations, agencies, and institutions, or individuals in the United States or foreign countries, including Government agencies of the United States and of foreign countries, qualified by training and experience to achieve the results desired, (2) strengthening the research staff of organizations, particularly nonprofit organizations, in the United States, (3) aiding institutions, agencies, or organizations which, if aided, will advance scientific research, and (4) encouraging independent scientific research by individuals.

"(g) Funds available to any department or agency of the Government for scientific or technical research, or the provision of facilities therefor, shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Foundation for such use as is consistent with the purposes for which such funds were provided, and funds so transferred shall be expendable by the Foundation for the purposes for which the transfer was made.

"United States."

"(h) For purposes of this Act, the term 'United States' when used in a geographical sense means the States, the District of Columbia, the Commonwealth of Puerto Rico, and all territories and possessions of the United States."

64 Stat. 156;
72 Stat. 353.
42 USC 1874.
Appropriations.

Sec. 13. Section 16 of the National Science Foundation Act of 1950 is amended by striking out "1946" each place it appears and inserting in lieu thereof "1954". Subsection (b) of such section is amended by striking out "section 15(h)" in paragraph (1) and inserting in lieu thereof "section 15(g)".

42 USC 1875.

Sec. 14. Subsection (a) of section 17 of the National Science Foundation Act of 1950 is amended to read as follows:

"(a) To enable the Foundation to carry out its powers and duties, there is hereby authorized to be appropriated to the

Foundation for the fiscal year ending June 30, 1969, the sum of $525,000,000; but for the fiscal year ending June 30, 1970, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums authorized by this subsection shall be in addition to sums authorized by section 201(b)(1) of the Marine Resources and Engineering Development Act of 1966."

80 Stat. 998.
33 USC 1121–1124.

SEC. 15. (a)(1) Section 5313 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

80 Stat. 460.

"(19) Director of the National Science Foundation."

82 Stat. 367.

(2) Section 5314 of such title is amended by striking out paragraph 40, and by inserting in lieu thereof the following new paragraph:

80 Stat. 461.

"(40) Deputy Director, National Science Foundation."

(3) Section 5316 of such title is amended by striking out paragraph (66), and by inserting in lieu thereof the following new paragraph:

80 Stat. 465.

"(66) Assistant Directors, National Science Foundation (4)."

(4) The amendments made by this subsection (and the amendments made by sections 3 and 4 of this Act insofar as they relate to rates of basic pay) shall take effect on the first day of the first calendar month which begins on or after the date of the enactment of this Act.

Effective date.

(b) Section 902(c) of the National Defense Education Act of 1958 is amended by striking out "$50" and inserting in lieu thereof "$100".

72 Stat. 1601.
42 USC 1877.

SEC. 16. Except as otherwise specifically provided therein, the amendments made by this Act are intended to continue in effect under the National Science Foundation Act of 1950 the existing offices, procedures, and organization of the National Science Foundation as provided by such Act, part II of Reorganization Plan Numbered 2 of 1962, and Reorganization Plan Numbered 5 of 1965. From and after the date of the enactment of this Act, part II of Reorganization Plan Numbered 2 of 1962, and Reorganization Plan Numbered 5 of 1965, shall be of no force or effect; but nothing in this Act shall alter or affect any transfers of functions made by part I of such Reorganization Plan Numbered 2 of 1962.

76 Stat. 1254.
42 USC 1861 note.
79 Stat. 1323.
42 USC 1867 note.

5. AUTHORIZATION FOR PART-TIME VOCATIONAL REHABILITATION TRAINING FOR VETERANS

(Public Law 90–431, Approved July 26, 1968)

A. LEGISLATIVE HISTORY

H.R. 14954 was introduced on January 30, 1968, by Representative George E. Brown, Jr., of California. The bill was referred to the Committee on Veterans' Affairs. A companion bill, S. 2911, was introduced on February 1, 1968, by Senator Ralph W. Yarborough, of Texas, for himself and other Senators. This bill was referred to the committee on Labor and Public Welfare.

Hearings on H.R. 14954 and other bills were held before the Subcommittee on Education of the House Committee on Veterans' Affairs on April 30 and May 1, 1968. The record of the hearings was printed in a volume of 45 pages. H.R. 14954 was reported in the House on May 4, 1968 (H. Rept. 1376). It passed the House, under suspension of the rules, on May 20, 1968.

In the Senate, hearings on H.R. 14954 and its companion bill, S. 2911, and other bills were held before the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare on July 1, 1968. The record of the hearings was printed in a volume of 178 pages. H.R. 14954 was reported in the Senate, from the Committee on Labor and Public Welfare, on July 11, 1968 (S. Rept. 1391). It passed the Senate on July 15, 1968. The act was approved on July 26, 1968 and became Public Law 90–431.

B. Digest of the Act

The act extends subsistence allowances to service-connected disabled veterans being trained on a part-time basis (such allowances being previously available only to such veterans receiving full-time training).

C. Text of the Law

Following is the text of Public Law 90–431.

82 Stat. 447.

AN ACT To amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis.

Veterans.
Part-time trainee.
79 Stat. 576.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1504 of title 38, United States Code, is amended by (1) deleting in subsection (b) the table contained therein in its entirety and substituting in lieu thereof the following:

"Column I	Column II	Column III	Column IV
Type of training	No dependents	One dependent	Two or more dependents
Institutional:			
Full time	$110	$150	$175
Three quarters time	80	110	130
Half time	55	75	85
Institutional on-farm, apprentice or other on-job training: Full time	95	125	150";

and (2) inserting in the first sentence following the table immediately before the word "trainee" the following: "full-time"; and (3) by inserting at the end of such section immediately after subsection (c) the following new subsection:

"(d) The Administrator shall define full-time and part-time training in the case of all eligible veterans pursuing a course of vocational rehabilitation training under this chapter."

6. JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968

(Largely Involving Education and Training, and Educational Institutions)

(Public Law 90–445, Approved July 31, 1968)

A. Legislative History

In the House, hearings on the "Juvenile Delinquency Prevention Act of 1967," H.R. 7642, were held before the General Subcommittee on Education of the Committee on Education and Labor on 7 days in May, 1967. The record of the hearings was published in a volume of 671 pages. No further action was taken on H.R. 7642. A new bill, H.R. 12120, initially cited as the "Juvenile Delinquency Prevention and Control Act of 1967," was introduced on August 7, 1967, by Representative Roman C. Pucinski, of Illinois, for himself and 23 other Members of the House. The bill was referred to the Committee on Education and Labor. On September 19, 1967, this bill was reported in the House, with amendment (H. Rept. 647). The bill passed the House on September 26, 1967.

In the Senate, on September 21, 26, 28 and October 19, 20, 25 and 26, 1967 hearings on H.R. 12120 and S. 1248 (a similar bill that had been introduced on March 10, 1967 by Senator Thomas J. Dodd, of Connecticut, and others) were held before the Subcommittee on Employment, Manpower and Poverty of the Committee on Labor and Public Welfare. The record of the hearings was printed in a volume of 311 pages.

H.R. 12120 was reported in the Senate, from the Committee on Labor and Public Welfare, on June 28, 1968 (S. Rept. 1332). It passed the Senate, amended, on July 8, 1968. On July 10, 1968, the House asked for, and the Senate agreed to, a conference. The conference report was filed on July 16, 1968 (H. Rept. 1724). The conference report was agreed to by the Senate on July 17, 1968, and by the House on July 18, 1968. The act was approved by the President on July 31, 1968, and became Public Law 90–445.

B. Digest of the Act

The principal purposes of this act are: (1) to assist the courts, correctional systems, community agencies, and primary and secondary public school systems to prevent, treat and control juvenile delinquency; and (2) to support research and training efforts in the prevention, treatment, and control of juvenile delinquency.

TITLE I: PLANNING AND PREVENTION AND REHABILITATIVE SERVICES

Part A: State and Local Planning and State Assistance to Localities.—Authorizes the Secretary of HEW to make grants to State and local public agencies to assist them in preparing or revising comprehensive plans based on a thorough evaluation of problems of juvenile delinquency and youths in danger of becoming delinquent. Limits grants to 90 percent of the cost of the planning. Authorizes similar grants to public and private nonprofit agencies to assist them in meeting the cost of planning any project or program for which a grant might be made under other provisions of this title.

Part B: Rehabilitative Services.—Authorizes direct block grants to States not to exceed 60 percent of costs of programs for the prevention of delinquency, including diagnosing, treating, and rehabilitating youths in danger of becoming delinquent. Requires assurances that the applicants for such grants will provide, to the extent feasible, for coordinating their operations with the operation of public and private nonprofit agencies and organizations furnishing related services in the community for youths. Requires assurances that, in the case of construction grants, financial resources will be available for the non-Federal share of the cost of the construction and for continued operation of the facility when construction is completed, and that public and private agencies and organizations providing services related to the rehabilitation of youths will be consulted in the formulation of the project or program. Enumerates other assurances which must be given by the applicants.

Part C: Preventive Services.—Authorizes grants to meet 75 percent of the cost of programs and projects designed to provide preventive services for youths in danger of becoming delinquent. Requires applicants to provide satisfactory assurances that: (1) a program of services will be provided within a reasonable period of time; (2) the applicant will make special efforts to make services available to youths with serious behavioral problems; (3) the applicant will coordinate its operations with other agencies and organizations providing services for youths in the community; (4) the applicant will make reasonable efforts to secure or provide services which are necessary for diagnosing, treating, and rehabilitating youths, including educational delinquency prevention programs, which are not provided in the community or which if being provided are inadequate to meet its needs; (5) maximum use will be made of other Federal, State, and local resources available for provision of such services; and (6) public and private agencies will be consulted in setting up programs.

Part D: General Provisions.—Requires any State which desires to receive a grant under Part B or C of this title in order to make program or project grants within such State to submit to the Secretary of Health, Education, and Welfare a comprehensive juvenile delinquency plan. Sets forth the requirements for approval of such plan. Provides for direct, interim grants to public agencies and nonprofit private agencies and organizations until a State has submitted such a plan and the Secretary has approved it.

Authorizes the following uses of funds to agencies and organizations under Parts B and C: (1) meeting the cost of securing or providing services designed to carry out the purposes of such part, to the extent and for the period reasonably necessary for the community to provide such services; and (2) in the case of part B, meeting not to exceed one-half the cost of construction of community-based, unusual, and special purpose or innovative types of facilities, including (a) combination detention and diagnostic facilities, (b) halfway houses, (c) small, special-purpose, residential, community-based facilities for diagnosis, treatment, and rehabilitation of youths, (d) training schools for youths in the custody of public agencies. Provides that not more than 25 percent of the funds appropriated for any fiscal year under this act may be used to meet such costs of construction.

Requires a copy of the application to be submitted to the Governor of the State, and requires the Governor to submit to the Secretary of Health, Education, and Welfare an evaluation of the contemplated program, before the Secretary may approve an application for a Part A or direct interim grant. Requires also submission of the application to and an evaluation of the program by the governing bodies of the political units principally affected, before approval of a Part A or direct interim grant.

Sets forth factors to be considered by the Secretary in deciding whether or not to approve applications, including: (1) relative costs and effectiveness of the program; (2) incidence and rate of increase of juvenile delinquency; (3) school dropout rates; (4) adequacy of existing facilities and services; (5) the extent of comprehensive planning in the community; (6) youth unemployment rates; (7) the extent to which the proposed program incorporates innovative techniques; and (8) the extent to which the proposed program incorporates programs for the parents of delinquent or potentially delinquent youths, as well as for other adults who offer guidance or supervision to such youths.

TITLE II: TRAINING

Authorizes the Secretary of HEW, with the concurrence of the Secretary of Labor, to make grants or contracts for projects for the training of personnel employed in or preparing for employment in fields related to the diagnosis, treatment, or rehabilitation of youths who are delinquent or in danger of becoming delinquent, or for the counseling or instruction of parents of such youths.

TITLE III: IMPROVED TECHNIQUES AND SERVICES

Authorizes the Secretary of HEW to develop improved techniques and practices which, in his judgment, hold promise of making a substantial contribution toward prevention of delinquency and treatment of delinquent or potentially delinquent youths, or toward improvement in rehabilitative services. Authorizes the Secretary to make grants to and enter into contracts with State, local, and other public agencies and private nonprofit agencies and organizations for such purposes. Limits the funds to be used to carry out these provisions to 10 percent of the funds appropriated for any fiscal under this act, or $2 million, whichever is less.

Authorizes the Secretary to render technical assistance to public and nonprofit agencies and organizations in matters relating to prevention of delinquency or to rehabilitative services. Authorizes grants to State agencies of up to 90 percent of the cost of providing technical assistance to local agencies engaged in or preparing to engage in activities for which aid may be provided under this act. Directs the Secretary to collect, evaluate, publish, and disseminate information and materials relating to research, program, and projects under this act and other matters relating to prevention of delinquency and rehabilitative services.

TITLE IV: ADMINISTRATION

Authorizes appropriations of $25 million for fiscal 1969, $50 million for fiscal 1970, and $75 million for fiscal 1971. Limits the amounts available for each State in any fiscal year under title I to 15 percent of the total of the funds available for title I grants in such fiscal year. Directs the Secretary to provide for the continuing evaluation of the programs, projects, and other activities under this act. Directs the Secretary to submit an annual report to the President for transmittal to Congress of all Federal activities in the fields of juvenile delinquency, youth development, and related fields. Authorizes him to appoint advisory committees to advise him with respect to both general policy and technical matters under this act.

C. TEXT OF THE LAW

Following is the text of Public Law 90–445.

AN ACT To assist the courts, correctional systems, community agencies, and primary and secondary public school systems to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Juvenile Delinquency Prevention and Control Act of 1968".

Juvenile Delinquency Prevention and Control Act of 1968.

FINDINGS AND PURPOSE

SEC. 2. The Congress finds that delinquency among youths constitutes a national problem which can be met by assisting and coordinating the efforts of public and private agencies engaged in combating the problem, and by increasing the number and extent of the services available for preventing and combating juvenile delinquency. It is, therefore, the purpose of this Act to help State and local communities strengthen their juvenile justice and juvenile aid systems, including courts, correctional systems, police agencies, and law enforcement and other agencies which deal with juveniles, and to assist communities in providing diagnosis, treatment, rehabilitative, and preventive services to youths who are delinquent or in danger of becoming delinquent, to encourage the development of community-based rehabilitation and prevention programs to provide assistance in the training of personnel employed or preparing for employment in occupations involving the provision of such services, to provide support for comprehensive planning, development of improved techniques, and information services in the field of juvenile delinquency, and to provide technical assistance in such field.

82 Stat. 462.
82 Stat. 463.

TITLE I—PLANNING AND PREVENTIVE AND REHABILITATIVE SERVICES

PART A—STATE AND LOCAL PLANNING AND STATE ASSISTANCE TO LOCALITIES

STATE AND LOCAL PLANNING

SEC. 101. (a) In order to encourage States and localities to prepare and adopt comprehensive plans covering their respective jurisdictions, based on a thorough evaluation of problems of juvenile delinquency and youths in danger of becoming delinquent in the State, the Secretary is authorized to make grants to any State or local public agency to assist in preparing or revising such a plan. No such grant may exceed 90 per centum of the cost of the planning with respect to which such grant is made.

(b) The Secretary may impose as a condition to any grants under this title within any State or locality that such planning be undertaken and that, where he deems it appropriate, a comprehensive plan or plans be prepared with a reasonable period.

GRANTS FOR PLANNING PROJECTS OR PROGRAMS

SEC. 102. The Secretary is authorized to make grants to any State, county, municipal, or other public agency or nonprofit private agency or organization to assist it in meeting the cost of planning any project or program for which a grant may be made under the other provisions of this title. No such grant may exceed 90 percentum of the cost of the planning with respect to which such grant is made.

PART B—REHABILITATIVE SERVICES

STATEMENT OF PURPOSE

SEC. 111. The purpose of this part is to assist courts, correctional institutions, law enforcement agencies, and other agencies having responsibilities with respect to delinquent youths and youths in danger of becoming delinquent, including youths who are on parole or probation, to develop, improve, and make full use of State and community rehabilitation services for the diagnosis, treatment, and rehabilitation of such youths; to assist and encourage States to devote resources under other programs, in the fields of general and vocational education, job training, prevention and detection of crime, health, and welfare, to support programs for the diagnosis, treatment, and rehabilitation of delinquent youths and youths in danger of becoming delinquent, including support through the provision of assistance to establish linkage between the planning, conduct, and delivery of services under such other programs and programs under this act for delinquent youths and youths in danger of becoming delinquent; and to encourage the development in communities of

82 Stat. 463.
82 Stat. 464.

new designs and new methods of care and treatment, including the operation of full-time or part-time community-based residential facilities for such youths requiring residential care, diagnosis, treatment, and rehabilitation.

AUTHORIZATION OF GRANTS

SEC. 112. The Secretary is authorized to make grants to meet not to exceed 60 per centum of the cost of projects or programs designed to carry out the purposes of this part.

APPLICATIONS

SEC. 113. (a) Grants under this part may be made only upon application, to a State agency or, in the case of direct grants under section 132, to the Secretary, by a State, county, municipality, or other public agency or combination thereof, which contains or is accompanied by satisfactory assurances that—

(1) such applicant agency will provide to the extent feasible for coordinating, on a continuing basis, its operations with the operations of public agencies and private nonprofit organizations furnishing welfare, education, health, mental health, recreation, job training, job placement, correction, and other basic services in the community for youths;

(2) such applicant agency will make reasonable efforts to secure or provide any of such services which are necessary for diagnosing, treating, and rehabilitating youths referred to in section 111 and which are not otherwise being provided in the community, or if being provided are not adequate to meet its needs;

(3) maximum use will be made under the program or project of other Federal, State, or local resources available for provision of such services;

(4) financial resources will, in the case of grants for construction, be available for the non-Federal share of such construction and for continued operation of the facility constructed; and

(5) public and private agencies and organizations (including courts, law enforcement and other agencies involved in the youth correction process) providing the services referred to in paragraph (1) will be consulted in the formulation by the applicant of the project or program, taking into account the services and expertise of such agencies and organizations, and with a view to adapting such services to the better fulfillment of the purposes of this part.

(b) Such application shall contain such information as may be necessary to carry out the purpose of this Act, including—

(1) a description of the services for youths described in section 111 which are available in the State or community;

(2) a statement of the method or methods of linking the agencies and organizations, public and private, providing these and other services; and

(3) a showing that the project or program is consistent with any comprehensive plan developed under any other Act which is related to the purpose of this Act. 82 Stat. 464. 82 Stat. 465.

Part C—Preventive Services

STATEMENT OF PURPOSE

Sec. 121. The purpose of this part is to promote the use of community-based services for the prevention of delinquency of youths; and to assist States and communities to establish special preventive services, including educational delinquency prevention programs in schools, for youths in danger of becoming delinquent, including youths who are on parole or probation.

AUTHORIZATION OF GRANTS

Sec. 122. The Secretary is authorized to make grants to meet not to exceed 75 per centum of the cost of projects or programs designed to carry out the purposes of this part.

APPLICATIONS

Sec. 123. (a) Grants under this part may be made only upon application, to a State agency or, in the case of direct grants under section 132, to the Secretary, by a public agency or nonprofit private agency or organization, which contains or is accompanied by satisfactory assurances that—

(1) steps have been or will be taken toward provision, within a reasonable period of time, of a program of services in the area served which are necessary for the prevention of delinquency of youths, including diagnosis, treatment, and rehabilitation of youths in danger of becoming delinquent;

(2) such applicant agency or organization will make special efforts to assure that the services provided by the program or project will be available for youths with serious behavioral problems;

(3) such applicant agency or organization will provide to the extent feasible for coordinating, on a continuing basis, its operations with the operations of public agencies and private nonprofit organizations furnishing welfare, education, health, mental health, recreation, job training, job placement, correction, and other basic services in the community for youths;

(4) such applicant agency or organization will make reasonable efforts to secure or provide any of such services which are necessary for diagnosing, treating and rehabilitating youths referred to in section 121 and which are not otherwise being provided in the community, or if being provided are not adequate to meet its needs;

(5) maximum use will be made under the program or project of other Federal, State, or local resources available for provision of such services; and

(6) public and private agencies and organizations (including courts, law enforcement and other agencies involved in the youth correction process) providing the services referred to in paragraph (3) will be consulted in the formulation by the applicant of the project or program, taking into account the services and expertise of such agencies and organizations and with a view to adapting such services to the better fulfillment of the purposes of this part.

82 Stat. 465.
82 Stat. 466.

Information.

(b) Such application shall contain such information as may be necessary to carry out the purpose of this Act, including—

(1) a description of the services for youths described in section 121 which are available in the State or community;

(2) a statement of the method or methods of linking the agencies and organizations, public and private, providing these and other services; and

(3) a showing that the project or program is consistent with any comprehensive plan developed under any other Act which is related to the purpose of this Act.

Part D—General Provisions

STATE PLAN

Sec. 131. (a) Any State which desires to receive a grant under part B or C of this title in order to make program or project grants within such State shall, through a single State agency designated for the purposes of this title, submit to the Secretary a comprehensive juvenile delinquency plan in such detail as the Secretary deems necessary.

(b) The Secretary shall approve a State plan or modification thereof for any fiscal year for purposes of this section if he determines that the plan for that fiscal year—

(1) provides that the grant to the State will be used solely (A) for projects and programs which are submitted to the State agency by a community, municipal, or other local public agency or local nonprofit private agency or organization, or combination thereof, which meet the requirements of section 113 or section 123, and which are approved by such State agency, and (B) for paying up to 75 per centum of the cost of administering the plan approved under this section;

(2) (A) sets forth, on the basis of an analysis and survey of the needs in the State for assistance under part B or C, a method of distribution of funds under the plan, including establishment of priorities for locations and types of projects and programs, which gives emphasis to community based alternatives to programs of institutionalization and which conforms to criteria of the Secretary, and (B) provides for distribution of such funds, insofar as financial resources make possible, in accordance with such method;

(3) provides for an appropriate balance of rehabilitation and preventive projects and programs;

(4) provides for (A) effective coordination of plans and programs developed and conducted by the State in fields related to juvenile delinquency, including programs under the Elementary and Secondary Education Act of 1965, the Social Security Act, the Manpower Development and Training Act of 1962, and programs for the prevention and detection of crime, with plans, projects, and programs developed and conducted by the State under this title, and (B) appropriate application of resources under such other plans and programs to support and reinforce plans, projects, and programs under this title;

20 USC 821 note;
42 USC 1305,
2571 note.

(5) provides for the effective participation of persons representative of local and areawide public and private groups and organizations familiar with the field of juvenile delinquency and with associated fields in the development and implementation of the State plan;

(6) demonstrates the capability of the State agency in the areas of planning, project and program development, technical assistance, and evaluation, and sets forth the administrative organization and procedures in such detail as the Secretary may prescribe by regulation;

(7) provides for the maximum use of other Federal, State, and local resources, including resources available through the programs referred to in paragraph (4), in carrying out the State plan and projects and programs under it;

(8) sets forth policies and procedures which give assurance that the Federal grant for any fiscal year will be used to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Secretary by regulation) that would, in the absence of such Federal grant, be made by the State, and subdivisions thereof, in the field of juvenile delinquency;

(9) provides for adoption of effective procedures (A) for the evaluation at least annually of the effectiveness of the programs and projects supported under the State plan, and (B) for dissemination of information secured thereby and other useful information to local public or nonprofit private agencies and organizations in the State operating in the field of juvenile delinquency or a related field;

(10) provides for adoption of procedures to assure that funds paid to local public or nonprofit private agencies and organizations with respect to projects and programs under the plan will be used in accordance with applications therefor approved under the plan;

(11) provides for making an annual report and such other reports, in such form and containing such information and evaluations, as the Secretary may reasonably require;

(12) provides that final action by the State agency denying (in whole or in part), or withholding funds with respect to, any application (or amendment thereof) made to it for a grant under part B or C shall not be taken without first affording the applicant reasonable notice and opportunity for a hearing;

(13) provides, in the case of an application for a program or a project which is in the nature of an amendment to the State plan or a clear departure from the purview of the State plan, that final approval by the State agency of such application shall not be given unless such application has been submitted to the Secretary together with a brief statement describing the proposed program or project, and the Secretary has not, within thirty days after such submission, disapproved such application; and

(14) provides assurance that the State will furnish at least one-half of the non-Federal share of funds required to meet the cost of programs and projects aided under the State plan.

(c) Depending upon the availability of funds, and the other applications under part B or C, the Secretary may approve all or part of the assistance requested by a State agency pursuant to an approved State plan, but all assistance requested by such agency, pursuant to an approved State plan, may be disapproved only if he determines that the provision of such assistance would so disperse available funds that the effectiveness of other projects or programs under part B or C which would more effectively carry out the purposes of part B or C, would be impaired.

(d) The Secretary may, if he finds that a State plan for a fiscal year is in substantial (but not complete) compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available to that State only those funds which he determines to be necessary to carry out that part of the plan so approved.

(e)(1) The Secretary shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State agency submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Secretary, after reasonable notice and opportunity for hearing to any State agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under this section, the Secretary shall notify the agency that further payments will not be made to the State under parts B and C (or, in his discretion, that the State agency shall not make further payments thereunder to specified public agencies or nonprofit private agencies or organizations affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under such parts or payments by the State agency under

such parts shall be limited to public agencies or nonprofit private agencies and organizations not affected by the failure, as the case may be.

DIRECT GRANTS

SEC. 132. Until a State has submitted a State comprehensive juvenile delinquency plan under this title and the Secretary has approved such plan, or upon failure of the State to carry out such plan according to the terms and conditions specified in such plan as approved, the Secretary may make grants directly to public agencies or nonprofit private agencies and organizations in accordance with the provisions of parts B and C of this title. No grant under this section shall be for an amount in excess of 60 per centum in the case of part B or 75 per centum in the case of part C of the cost of the project or program with respect to which it is made.

USE OF FUNDS

SEC. 133. Funds paid to any agency or organization (whether directly or through a State agency) under part B or C of this title may be used for—

(1) meeting the cost of securing or providing services designed to carry out the purposes of such part, but only to the extent and for the period reasonably necessary for the community to provide such services; and

(2) in the case of part B, meeting not to exceed 50 per centum of the cost of construction of community-based, unusual, and special purpose or innovative types of facilities which, in the judgment of the Secretary, are necessary for carrying out the purposes of part B, including community-based, unusual, and special purpose or innovative (A) combination detention and diagnostic facilities, (B) halfway houses for youths who because of special behavioral problems have a high risk of becoming delinquent or who have been determined to be delinquent and are not yet ready for full return to society; (C) small, special-purpose, residential, community-based facilities for diagnosis, treatment, and rehabilitation of youths; (D) training schools for the rehabilitation and education of youths who are in custody of any public agency charged with the care of delinquent youths; but, in developing plans for such facilities, due consideration shall be given to excellence of architecture and design: *Provided, however*, That not to exceed 25 per centum of the funds appropriated for any fiscal year under this Act may be used to meet such costs of construction.

It shall be a condition of any grant under part B which is wholly or partially for construction that all laborers and mechanics employed by contractors or subcontractors on such construction shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by

49 Stat. 1011. the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to these labor standards the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 P.R. 36, 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c). 63 Stat. 108; 72 Stat. 967.

NOTIFICATION

SEC. 134. The Secretary shall not approve an application for a grant under part A or section 132 until a copy of the application has been submitted—

(1) to the Governor of the State, or an officer designated by him or by State law, and a reasonable opportunity has been afforded the Governor or such officer to prepare and submit to the Secretary his evaluation of the planning, program, or project, which shall include comments on the relationship of the application to other applications then pending and to existing or proposed plans in the State for the development of new or additional programs for the diagnosis, treatment, or rehabilitation or preventive services for youths who are delinquent or in danger of becoming delinquent; and

(2) to the governing bodies of the political units principally affected, and a reasonable opportunity afforded such governing bodies, acting through such officers as they may designate, to prepare and submit to the Secretary an evaluation of the planning, program, or project.

CONSIDERATIONS FOR APPROVAL OF APPLICATIONS

SEC. 135. In determining whether or not to approve applications for grants under part B or C of this title, the State agency or, in the case of grants under section 132, the Secretary shall consider, among other relevant factors in the State or community of the applicant—

(1) the relative costs and effectiveness of the project or program in effectuating the purposes of such part;

(2) the incidence of and rate of increase in youth offenses and juvenile delinquency;

(3) school dropout rates;

(4) the adequacy of existing facilities and services for carrying out the purposes of such part;

(5) the extent of comprehensive planning in the community for carrying out the purposes of such part;

(6) youth unemployment rates;

(7) the extent to which proposed programs or projects incorporate new or innovative techniques within the State or community to carry out the purposes of such part; and

(8) the extent to which the proposed programs or projects incorporate programs for the parents of youths who are delinquent or in danger of becoming delinquent, as well as programs for other adults who offer guidance or supervision to such youths.

TITLE II—TRAINING

AUTHORIZATION

SEC. 201. The Secretary is authorized, with the concurrence of the Secretary of Labor, to make grants or contracts for projects for the training of personnel employed in or preparing for employment in fields related to the diagnosis, treatment, or rehabilitation of youths who are delinquent or in danger of becoming delinquent, or for the counseling or instruction of parents in the improving or parental instruction and supervision of youths who are delinquent or in danger of becoming delinquent. Such projects shall include special programs which provide youths and adults with training for career opportunities, including new types of careers, in such fields. Such projects may include, among other things, development of courses of study and of interrelated curricula in schools, colleges, and universities, establishment of short-term institutes for training at such schools, colleges, and universities, inservice training, and traineeships with such stipends, including allowances for travel and subsistence expenses, as the Secretary may determine to be necessary.

RECIPIENTS AND CONDITIONS OF GRANTS AND CONTRACTS

SEC. 202. Such grants may be made to and such contracts may be made with any Federal, State, or local public or nonprofit private agency or organization; and to the extent he deems it appropriate, the Secretary shall require the recipient of any such grant or contract to contribute money, facilities, or services for carrying out the projects for which the grant or contract is made.

TITLE III—IMPROVED TECHNIQUES AND PRACTICES

NEW TREATMENT AND SERVICES

SEC. 301. (a) The Secretary is authorized to develop improved techniques and practices which, in his judgment, hold promise of making a substantial contribution toward prevention of delinquency and treatment of youths who are delinquent or in danger of becoming delinquent or toward improvement in the rehabilitative services for delinquent youths, including techniques and practices for the training of personnel.

Grants.

(b) The Secretary may also make grants for such purposes to any State, local, or other public agency or nonprofit private agency or organization; and, to the extent he deems it appropriate, the Secretary shall require the recipient of any such grant to contribute money, facilities, or services for carrying out the project for which such grant was made.

Contracts.

(c) The Secretary is further authorized to enter into contracts for any such purposes with public or private agencies and organizations and with individuals.

Appropriation, limitation.

(d) Not more than 10 per centum of the funds appropriated for any fiscal year under this Act, or $2,000,000, whichever is the lesser, may be used to carry out this section.

TECHNICAL ASSISTANCE

SEC. 302. The Secretary is authorized to cooperate with and, either directly or through grants to or contracts with any public agency or nonprofit private agency or organization, render technical assistance to State, local, or other public or private agencies or organizations in matters relating to prevention of delinquency or to rehabilitative services for delinquent youths and youths in danger of becoming delinquent, and to provide short-term training and instruction of a technical nature with respect to such matters.

STATE ASSISTANCE TO LOCAL UNITS

SEC. 303. The Secretary is authorized to make grants to any State agency which is able and willing to provide technical assistance to local public agencies and nonprofit private agencies and organizations engaged in or preparing to engage in activities for which aid may be provided under this Act. No such grant may exceed 90 per centum of the cost of the activities of the State agency with respect to which such grant is made.

INFORMATION SERVICES

SEC. 304. The Secretary is directed to collect, evaluate, publish, and disseminate information and materials relating to research and programs and projects conducted under this Act, and other matters relating to prevention or treatment of delinquency or provision of rehabilitative services for delinquent youths and youths who are in danger of becoming delinquent, such information and materials to be for the general public and for agencies, organizations, and personnel engaged in programs concerning youths who are delinquent or in danger of becoming delinquent.

TITLE IV—ADMINISTRATION

PAYMENT PROCEDURE

SEC. 401. Payments of any grant or under any contract under this Act may be made (after necessary adjustment on account of previously made overpayments or underpayments) in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes for which the grant or contract is made.

APPROPRIATIONS

SEC. 402. There are authorized to be appropriated for grants and contracts under this Act, to the Department of Health, Education, and Welfare, $25,000,000 for the fiscal year ending

June 30, 1969, $50,000,000 for the fiscal year ending June 30, 1970, and $75,000,000 for the fiscal year ending June 30, 1971.

AMOUNTS AVAILABLE FOR EACH STATE

SEC. 403. (a) The total of the grants made under title I of this Act for any fiscal year with respect to activities in any one State may not exceed 15 per centum of the total of the funds available for such grants under such title for such fiscal year.

(b) Of the funds available for grants under title I for any fiscal year—

(1) $25,000 each shall be reserved for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands; and

(2) $100,000 shall be reserved for each other State;

except that, if the Secretary determines, on the basis of the information available to him on the last day of the ninth month of any fiscal year, that any portion of such $25,000 or $100,000 for any State will not be required for such grants under title I of this Act for such year, such portion shall be available for grants under such title for such year with respect to activities in any other State (in the case of which such a determination has not been made).

EVALUATION

SEC. 404 (a) The Secretary shall provide for the continuing evaluation of the programs, projects, and other activities under this Act, including their effectiveness in achieving stated goals and their relationship to and impact on related Federal, State, and local activities. This evaluation shall include comparisons with proper control groups composed of persons who have not participated in programs under this Act. The results of such evaluations shall be included in the report required by section 408.

(b) In addition to funds otherwise available for evaluation, such portion of any appropriation under section 402 as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available for evaluation by the Secretary (directly or by grants or contracts) of the activities for which such appropriation is made.

JUDICIAL REVIEW

SEC. 405. In the case of action taken by the Secretary terminating or refusing to continue financial assistance to a grantee, such grantee may obtain judicial review of such action in accordance with chapter 7 of title 5 of the United States Code. 80 Stat. 392. 5 USC 701–706.

JOINT FUNDING

SEC. 406. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency or organization assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

COORDINATION

SEC. 407. To avoid duplication of efforts, it shall be the responsibility of the Secretary to consult and coordinate with the Attorney General and such other Federal officers as are charged with responsibilities in the area of combating juvenile delinquency or crime in general.

ANNUAL REPORT

SEC. 408. Not later than one hundred and twenty days after the close of each fiscal year, the Secretary, with the appropriate assistance and concurrence of the heads of other Federal agencies who are consulted and whose activities are coordinated under section 407, shall prepare and submit to the President for transmittal to the Congress a full and complete report on all Federal activities in the fields of juvenile delinquency, youth development, and related fields. Such report shall include, but not be limited to—

(1) planning, program, and project activities conducted under this Act;

(2) the nature and results of model programs and technical assistance conducted under title III of this Act;

(3) the number and types of training projects, number of persons trained and in training, and job placement and other follow-up information on trainees and former trainees assisted under title II of this Act; and

(4) steps taken and mechanisms and methods used to coordinate and avoid duplication of Federal activities in the fields of juvenile delinquency, youth development, and related fields and the effectiveness of such steps, mechanisms, and methods.

ADVISORY COMMITTEES

SEC. 409. (a) The Secretary is authorized to appoint an advisory committee to advise him with respect to matters of general policy involved in the administration of this Act, and particularly with respect to the coordination of activities under this Act and related activities under other Federal, State, or local laws and on such other matters relating to this Act as the Secretary may request.

(b)(1) The Secretary is also authorized to appoint such other technical or advisory committees to advise him in connection with activities under this Act as he deems necessary.

(2) Members of any committee appointed under this section who are not otherwise in the regular full-time employ of the United States, while attending meetings of their respective committees, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per diem (or, if higher, the rate specified at the time of such service for grade GS–18 in title 5, United States Code, section 5332), including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

81 Stat. 625.

80 Stat. 499.

DEFINITIONS

SEC. 410. For purposes of this Act—

(1) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(2) The term "State agency" means the State agency designated in a State's comprehensive juvenile delinquency plan.

(3) The term "public agency" means a duly elected political body or a subdivision thereof and shall not be construed to include the Office of Economic Opportunity. Such term includes an Indian tribe. In the case of a grant under part A of title I or section 132, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of any planning, project, or program, he may increase the Federal share if the cost thereof payable under this Act to the extent necessary, notwithstanding the maximum otherwise imposed by this Act on the portion of such cost which may be so payable.

(4) The term "nonprofit private agency or organization" means any accredited institution of higher education, and any other agency, organization, or institution which is owned and operated by one or more nonprofit corporations or organizations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual, but only if such agency, organization, or institution was in existence at least two years before the date of an application under this Act. Such term shall not be construed to include the Office of Economic Opportunity. Participation by the Office of Economic Opportunity is expressly prohibited in administering this Act.

(5) The term "Secretary" means the Secretary of Health, Education, and Welfare.

7. AUTHORIZATIONS FOR SEA-GRANT COLLEGES AND PROGRAMS

(Public Law 90-477, approved August 11, 1968)

A. Legislative History

H.R. 13781, a bill to amend title II of the Marine Resources and Engineering Development Act of 1966, was introduced on October 31, 1967 by Representative Paul G. Rogers, of Florida (for himself and 18 other Members of the House). The bill was referred to the Committee on Merchant Marine and Fisheries.

Hearings on H.R. 13781 and on a similar bill (H.R. 13835, introduced by Representative Edward A. Garmatz of Maryland) were held before the Subcommittee on Oceanography of the Committee on Merchant Marine and Fisheries on March 14, 1968. The record of the hearings was printed in a volume of 37 pages.

H.R. 13781 was reported in the House on March 28, 1968 (H. Rept. 1221). It passed the House, under suspension of the rules, on April 1, 1968.

In the Senate, hearings on H.R. 13781 were held before the Committee on Commerce on June 24, 1968. The record of the hearings was printed in a volume of 42 pages.

H.R. 13781 was reported in the Senate, from the Committee on Commerce, on July 11, 1968 (S. Rept. 1381). H.R. 13781 was reported in the Senate, from the Committee on Labor and Public Welfare, on July 18, 1968 (S. Rept. 1439). The bill passed the Senate, amended, on July 20, 1968.

On July 22, 1968 the House asked for a conference. On July 25, 1968 the Senate agreed to a conference. The conference report was filed on August 1, 1968 (H. Rept. 1837). The Senate agreed to the conference report on August 1, 1968. The House agreed to the conference report on August 2, 1968. The act was approved on August 11, 1968 and became Public Law 90-477.

B. Digest of the Act

The act amends the Marine Resources and Engineering Development Act of 1966 so as to authorize appropriations to the National Science Foundation of $6 million for the fiscal year 1969 and $15 million for the fiscal year 1970, for the sea-grant college program.

C. Text of the Law

Following is the text of Public Law 90-477.

82 Stat. 704.

AN ACT To amend title II of the Marine Resources and Engineering Development Act of 1966

Sea-grant colleges and programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Marine Resources and Engineering Development Act of 1966 is amended as follows:

(1) Section 203(b)(1) of the Marine Resources and Engineering Development Act of 1966 is amended by inserting im-

mediately after "for the fiscal year ending June 30, 1968, not to exceed the sum of $15,000,000," the following: "for the fiscal year ending June 30, 1969, not to exceed the sum of $6,000,000, for the fiscal year ending June 30, 1970, not to exceed the sum of $15,000,000,".

Appropriation to National Science Foundation.
80 Stat. 999.
33 USC 1122.

(2) Section 204(d)(1) of the Marine Resources and Engineering Development Act of 1966 is amended by deleting the phrase "in any fiscal year" each time it appears therein. 33 USC 1123.

8. HEALTH MANPOWER ACT OF 1968

(Principally Concerned with Training)

(Public Law 90–490, approved August 16, 1968)

A. LEGISLATIVE HISTORY

S. 3095, the "Health Manpower Act of 1968," was introduced on March 5, 1968, by Senator Lister Hill, of Alabama. The bill was referred to the Committee on Labor and Public Welfare. A companion bill, H.R. 15757, was introduced on March 5, 1968 by Representative Harley O. Staggers, of West Virginia. This bill was referred to the Committee on Interstate and Foreign Commerce.

Hearings on S. 3095 (and on S. 255, a bill to amend Title VII of the Public Health Service Act) were held before the Subcommittee on Health of the Committee on Labor and Public Welfare on March 20 and 21, 1968. The record of the hearings was printed in a volume of 291 pages. Hearings on H.R. 15757 were held before the Subcommittee on Health and Welfare of the Committee on Interstate and Foreign Commerce on June 11, 12, and 13, 1968. The record of the hearings was printed in a volume of 309 pages.

H.R. 15757 was reported in the House on July 3, 1968 (H. Rept. 1634). On August 1, 1968, H.R. 15757 passed the House, the proceedings were vacated, H.R. 15757 was laid on the table, and S. 3095 was amended and passed in lieu.

S. 3095 was reported in the Senate on June 21, 1968 (S. Rept. 1307). It passed the Senate on June 24, 1968, and was referred to the House Committee on Interstate and Foreign Commerce on June 25, 1968. The committee was discharged. S. 3095 passed the House, amended, on August 1, 1968. The Senate agreed to the House amendment on August 2, 1968. The act was approved by the President on August 16, 1968 and became Public Law 90–490.

B. DIGEST OF THE ACT

Following is a digest of Public Law 90–490:

Title I—Health Professions Training.—Extends for an additional 2 years, through the fiscal year 1971, appropriations for grants to construct teaching facilities for health professions personnel and limits the Federal share for such projects to 50 percent of the cost except when the Secretary of HEW determines unusual circumstances (then 66⅔ percent of the cost).

Permits a facility to be used for any purpose for which it was constructed without subjecting the facilities owner to liability for repayment of the value of the Federal financial assistance.

Lengthens from 10 to 20 years the period following completion of construction during which the owner of a facility constructed with funds provided for in this Act would be subject to having the value of those funds recovered by the United States if the facility were used during such period for any unauthorized or prohibited purpose.

Requires the applicant for a Federal construction grant to state a present intention to use the facilities for the purpose for which the application was made.

Provides that a facility is being used for teaching purposes when it is being used for research and related purposes in the sciences related to health or for medical library purposes.

Permits Federal construction grants to be used to build continuing and advanced education facilities.

Authorizes a 2-year extension, through the fiscal year 1971, of the authority to make both institutional and special project grants.

Provides for the distribution of such funds by distributing to each eligible school a flat sum of $25,000 and of the remainder, 75 percent distributed on the basis of student enrollment for such year and relative increase in enrollment for the previous five school years, and 25 percent distributed on the basis of relative number of graduates for such year. Sets forth conditions and qualifications for such grants.

Extends eligibility for such grants to colleges of pharmacy and veterinary medicine.

Provides that no school can receive more in any year than it expended from non-Federal sources during the previous year for teaching purposes except for schools adding a particular year class which were not included the year before and Howard University.

No longer requires an applicant for a special project grant to have an approved application for a basic improvement grant.

Requires the Secretary of HEW, in determining the priority of special projects, to consider: (1) the extent to which the project would increase enrollment of full-time students; (2) the relative need of the applicant for financial assistance to maintain or provide accreditation, or to avoid curtailing enrollment or reduction in quality of training; and (3) the extent to which the project might result in curriculum improvement, improve methods of training, or help to reduce the period of required training without adversely affecting the quality thereof.

Changes the name of the National Advisory Council on Medical, Dental, Optometric, and Podiatric Education to National Advisory Council on Health Professions Educational Assistance to be composed of 14 members to assist the Secretary in administering this act.

Allows schools to assess a charge for late payment or nonpayment of a student loan under this Act and limits the charge to $1 for the first month and $2 for each month thereafter.

Provides that up to 20 percent of the Federal capital contributions under a loan agreement with a school for a student loan fund may be transferred from such fund for student scholarships.

Extends scholarship funds to students of veterinary medicine.

Provides that up to 20 percent of amount appropriated to a school for a fiscal year may be transferred to the student loan fund.

Title II—Nurse Training.—Extends the appropriations for construction grants of new facilities or rehabilitation of existing facilities for collegiate, associate degree, or diploma schools of nursing for 2 years. Authorizes for this purpose $25 million for fiscal 1970 and $35 million for fiscal 1971.

Limits the Federal share for construction grants under this Act to 50 percent of the construction cost unless the Secretary of HEW determines there are unusual circumstances warranting a larger percent (then up to 66⅔ percent of the cost).

Redefines collegiate school of nursing to include advanced training related to a program of nurse education.

Makes grants to assist public or nonprofit private institutions to meet the costs of special projects for the improvement in nurse training.

Makes institutional grants from appropriations under this section to eligible schools, and provides for the distribution of such funds by distributing to each such school a flat sum of $15,000 and of the remainder, 75 percent distributed on the basis of student enrollment for such year and relative increase in enrollment for the previous 5 years, and 25 percent distributed on the basis of relative number of graduates for such year. Sets forth conditions and qualification for such grants.

Extends the authorization for appropriations for traineeships for advanced nurse training to the end of fiscal year 1971.

Provides that up to 20 percent of sums appropriated for student aid may be transferred to schools of nursing for use in their scholarship program.

Authorizes the Secretary to make scholarship grants to public or nonprofit school of nursing for use by students of exceptional financial need. Limits each individual student scholarship to $1,500 a year.

Provides that up to 20 percent of the sums appropriated for such scholarship grants may be transferred to the student loan program.

Title III—Allied Health Professions and Public Health Training.—Extends generally the authorization for appropriations under this title of such sums as necessary for an additional fiscal year (ending June 30, 1970).

Title IV—Health Research Facilities.—Extends the authorization for appropriations under this title to June 30, 1971.

Limits the Federal share for construction or project grants under this title to 50 percent unless the Secretary determines that the project has special national or regional significance in which case the Federal share may be 66⅔ percent of the cost.

C. Text of the Law

The following is the text of Public Law 90-490.

AN ACT To amend the Public Health Service Act to extend and improve the programs relating to the training of nursing and other health professions and allied health professions personnel, the program relating to student aid for such personnel, and the program relating to health research facilities, and for other purposes

82 Stat. 773.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Manpower Act of 1968".

Health Manpower Act of 1968.

SEC. 2. As used in the amendments made by this Act, the term "Secretary", unless the context otherwise requires, means the Secretary of Health, Education, and Welfare.

TITLE I—HEALTH PROFESSIONS TRAINING

PART A—CONSTRUCTION GRANTS

EXTENSION OF CONSTRUCTION AUTHORIZATIONS

SEC. 101. (a) Section 720 of the Public Health Service Act (42 U.S.C. 293) is amended by inserting after and below clause (3) of the first sentence thereof the following new sentence: "For such grants there are also authorized to be appropriated $170,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the next fiscal year."

79 Stat. 1056.

(b) (1) Such section 720 is further amended by striking out "Sums so appropriated shall remain available until expended." and by adding at the end of such section the following: "Sums so appropriated for any fiscal year shall remain available for obligation through the close of the next fiscal year."

(2) The amendments made by this subsection shall apply only with respect to appropriations for fiscal years ending after June 30, 1969.

FEDERAL SHARE

SEC. 102. (a) Subsection (a)(1) of section 722 of the Public Health Serivce Act (42 U.S.C. 293b) is amended by striking out "such amount may not exceed 50 per centum" and inserting in lieu thereof "such amount may not, except where the Secretary determines that unusual circumstances make a larger percentage (which in no case may exceed 66⅔ per centum) necessary in order to effectuate the purposes of this part, exceed 50 per centum".

77 Stat. 168.

(b) The amendment made by this section shall apply in the case of projects for which grants are made from appropriations for fiscal years ending after June 30, 1969.

LENGTH AND CHARACTER OF FEDERAL RECOVERY INTEREST IN FACILITIES

SEC. 103. (a) (1) Clause (b) of section 723 of the Public Health Service Act (42 U.S.C. 293c) is amended to read as follows:

> "(b) the facility shall cease to be used for the teaching purposes (and the other purposes permitted under section 722) for which it was constructed, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,".

(2) So much of such section 723 of such Act as precedes clause (a) is amended by striking out "ten" and inserting in lieu thereof "twenty".

82 Stat. 774.

(3) Clause (A) of section 721 (c) (2) of such Act (42 U.S.C. 293a) is amended to read: "(A) the facilitiy is intended to be used for the purposes for which the application has been made,".

77 Stat. 166.

(b) The amendments made by subsection (a) (1) and (2) shall apply in the case of facilities for which a grant has been or is in the future made under part B of title VII of the Public Health Service Act. The amendment made by subsection (a) (3) shall apply in the case of assurances given after the date of enactment of this Act under such part B.

42 USC 293–293h.

GRANTS FOR MULTIPURPOSE FACILITIES

Sec. 104. (a) Section 722 of the Public Health Service Act (42 U.S.C. 293b) is further amended by adding at the end thereof the following new subsection:

"(d) In the case of a project for construction of facilities which are primarily (as determined in accordance with regulations of the Secretary) for teaching purposes and for which a grant may be made under this part, but which also are for research purposes, or research and related purposes, in the sciences related to health (within the meaning of part A of this title) or for medical library purposes (within the meaning of part I of title III), the project shall, insofar as all such purposes are involved, be regarded as a project for facilities with respect to which a grant may be made under this part."

70 Stat. 717.
42 USC 292–292j.
79 Stat. 1059.
42 USC 280b–280b-11.

(b) The amendment made by subsection (a) shall apply in the case of projects for which grants are made under part B of title VII of the Public Health Service Act from appropriations for fiscal years ending after June 30, 1969.

GRANTS FOR CONTINUING AND ADVANCED EDUCATION FACILITIES

Sec. 105. (a) Paragraph (3) of section 721(c) of the Public Health Service Act (42 U.S.C. 293a) is amended by inserting before the semicolon at the end thereof the following: "(and, for purposes of this part, expansion or curtailment of capacity for continuing education shall also be considered expansion and curtailment, respectively, of training capacity)".

(b) Subsection (d) of section 721 of such Act is amended by inserting "(other than a project for facilities for continuing education)" after "an existing school" in paragraph (1)(A) and after "a school" in paragraph (1)(B).

(c) Section 724(4) of such Act is amended by inserting before the semicolon at the end thereof: ", and including advanced training related to such training provided by any such school".

77 Stat. 169.
42 USC 293d.

(d) The amendments made by this section shall apply in the case of projects for which grants are made under part B of title VII of the Public Health Service Act from appropriations for fiscal years ending after June 30, 1969.

Part B—Institutional and Special Project Grants for Training of Health Professions Personnel

79 Stat. 1052.

Sec. 111. (a) Sections 770, 771, and 772 of the Public Health Service Act (42 U.S.C. 295f, 295f–1, 295f–2) are amended to read as follows:

"AUTHORIZATION FOR APPROPRIATIONS

"Sec. 770. (a) There are authorized to be appropriated $117,000,000 for the fiscal year ending June 30, 1970, and $168,000,000 for the fiscal year ending June 30, 1971, for institutional grants under section 771 and special project grants under section 772.

82 Stat. 775.

"(b) The portion of the sums so appropriated for each fiscal year which shall be available for grants under each such section shall be determined by the Secretary unless otherwise provided in the Act or Acts appropriating such sums for such year.

"INSTITUTIONAL GRANTS

Distribution.

"Sec. 771. (a) (1) The sums available for grants under this section from appropriations under section 77 for the fiscal year ending June 30, 1970, and for the next fiscal year shall be distributed to the schools of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary medicine, and podiatry with approved applications as follows: Each school shall receive $25,000; and of the remaider—

"(A) 75 per centum shall be distributed on the basis of—

"(i) the relative enrollment of full-time students for such year, and

"(ii) the relative increase in enrollment of such students for such year over the average enrollment of such school for the five school years preceeding the year for which the application is made;

with the amount per full-time student so computed that a school receives twice as much for each such student in the increase as for other full-time students, and

"(B) 25 per centum shall be distributed on the basis of the relative number of graduates for such year.

In computing the increase under clause (a) (ii) of the preceding sentence for any school, there shall be excluded a number equal to the increase required by subsection (b) (1) (except in the case of a school to which the third sentence of such subsection applies).

"(2) For the fiscal years ending June 30, 1970, and June 30, 1971, only, the sum computed under paragraph (1) for any school which is less than the amount such school received under this section for the fiscal year ending June 30, 1969, shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the sums computed under such paragraph (1) for the remaining schools, but with such adjustments as may be necessary to prevent the sums computed for any of such remaining schools from being reduced to less than the amount it received for such fiscal year ending June 30, 1969, under this section.

Enrollment increase requirement.

“(b) (1) The Secretary shall not make a grant under this section to any school unless the application for such grant contains or is supported by reasonable assurances that for the first school year beginning after the fiscal year for such grant is made and each school year thereafter during which such a grant is made the first-year enrollment of full-time students in such school will exceed the average of the first-year enrollments of such students in such school for the two school years having the highest such enrollment during the five school years during the period of July 1, 1963, through June 30, 1968, by at least 2½ per centum of such average first-year enrollments, or by five students, whichever is greater. The requirements of this paragraph shall be in addition to the requirements of section 721(c)(2)(D) of this Act, where applicable. The Secretary is authorized to waive (in whole or in part) the provisions of this paragraph if he determines, after consultation with the National Advisory Council on Health Professions Educational Assistance, that the required increase in first-year enrollment of full-time students in a school cannot, because of limitations of physical facilities available to the school for training, be accomplished without lowering the quality of training provided therein.

77 Stat. 166.
42 USC 293a.
Waiver.

82 Stat. 776.
Limitation.

“(2) Notwithstanding the preceding provisions of this section, no grant under this section to any school for any fiscal year may exceed the total of the funds from non-Federal sources expended (excluding expenditures of a nonrecurring nature) by the school during the preceding year for teaching purposes (as determined in accordance with criteria prescribed by the Secretary), except that this paragraph shall not apply in the case of a school which has for such year a particular year-class which it did not have for the preceding year or in the case of Howard University.

Post, p. 779.

“(c) (1) For purposes of this part and part F, regulations of the Secretary shall include provisions relating to determination of the number of students enrolled in a school, or in a particular year-class in a school, or the number of graduates, as the case may be, on the basis of estimates, or on the basis of the number of students who were enrolled in a school, or in a particular year-class in a school, or were graduates, in an earlier year, as the case may be, or on such basis as he deems appropriate for making such determination, and shall include methods of making such determinations when a school or a year-class was not in existence in an earlier year at a school.

“Full-time students.”

“(2) For purposes of this part and part F, the term ‘full-time students’ (whether such term is used by itself or in connection with a particular year-class) means students pursuing a full-time course of study leading to a degree of doctor of medicine, doctor of dentistry, or an equivalent degree, doctor of osteopathy, bachelor of science in pharmacy, or doctor of pharmacy, doctor of optometry or an equivalent degree, doctor of veterinary medicine or an equivalent degree, or doctor of podiatry or an equivalent degree.

"SPECIAL PROJECT GRANTS

"SEC. 772. Grants may be made, from sums available therefore from appropriations under section 770 for the fiscal year ending June 30, 1970, and for the next fiscal year, to assist schools of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, and veterinary medicine in meeting the cost of special projects to plan, develop, or establish new programs or modifications of existing programs of education in such health professions or to effect significant improvements in curriculums of any such schools or for research in the various fields related to education in such health professions, or to develop training for new levels or types of health professions personnel, or to assist any such schools which are in serious financial straits to meet their costs of operation or which have special need for financial assistance to meet the accreditation requirements, or to assist any such schools to meet the costs of planning experimental teaching facilities or experimental design thereof, or which will otherwise strengthen, improve, or expand programs to train personnel in such health professions or help to increase the supply of adequately trained personnel in such health professions needed to meet the health needs of the Nation."

(b) (1) Subsection (a) of section 773 of such Act (42 U.S.C. 295f–3 is amended by striking out "basic or special grants under section 771 or 772" and inserting in lieu thereof "grants under section 771 or 772".

(2) Subsection (b) (1) of such section is amended by inserting before "or podiatry" the following: "pharmacy, veterinary medicine".

(3) Subsection (c) of such section is amended by striking out "National Advisory Council on Medical, Dental, Optometric, and Podiatric Education" and inserting in lieu thereof "National Advisory Council on Health Professions Educational Assistance".

79 Stat. 1053.

(4) Subsection (d) (2) of such section is amended by inserting "(excluding expenditures of a nonrecurring nature)" after "for such purpose".

82 Stat. 777.

(5) Subsection (e) of such section is amended to read as follows:

Priority of projects.

"(e) In determining priority of projects applications for which are filed under section 772, the Secretary shall give consideration to—

"(1) the extent to which the project will increase enrollment of full-time students receiving the training for which grants are authorized under this part;

"(2) the relative need of the applicant for financial assistance to maintain or provide for accreditation or to avoid curtailing enrollment or reduction in the quality of training provided; and

"(3) the extent to which the project may result in curriculum improvement or improved methods of training or will help to reduce the period of required training without adversely affecting the quality thereof."

(c)(1) Section 774(a) of such Act is amended by striking out "and podiatric education" and inserting in lieu thereof "podiatric, pharmaceutical, and veterinary education". 79 Stat. 1054. 42 USC 295f-4.

(2) Such section 774(a) is further amended by striking out "twelve" and inserting in lieu thereof "fourteen", and by striking out "National Advisory Council on Medical, Dental, Optometric, and Podiatric Education" and inserting in lieu thereof "National Advisory Council on Health Professions Educational Assistance".

(3) The heading of section 774 is amended to read:

"NATIONAL ADVISORY COUNCIL ON HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE"

(4) Section 780(d) of such Act is amended by striking out "National Advisory Council on Medical, Dental, Optometric, and Podiatric Education" and inserting in lieu thereof "National Advisory Council on Health Professions Educational Assistance". 42 USC 295g.

(d) The amendments made by this section shall apply with respect to appropriations for fiscal years ending after June 30, 1969. Effective date.

(e) Effective only with respect to appropriations for the fiscal year ending June 30, 1969, section 772 of such Act is amended (1) by striking out subsection (c), and (2) by inserting before the period at the end of subsection (b) the following: ", or (3) to plan for special projects for which grants are authorized under this section as amended by the Health Manpower Act of 1968." 79 Stat. 1053. 42 USC 295f-2.

Part C—Student Aid

STUDENT LOANS

Sec. 121. (a) (1) Clauses (2) and (3) of section 740(b) of the Public Health Service Act (42 U.S.C. 294) are each amended by inserting ", except as provided in section 746," after "fund" the first time it appears therein. 77 Stat. 171.

(2) Section 740(b)(4) of such Act is amended by striking out "1969" and inserting in lieu thereof "1971". 79 Stat. 1057.

(3) Section 741(c) of such Act (42 U.S.C. 294a) is amended by striking out "three years" the first time it appears therein and inserting in lieu thereof "one year" and by adding before the period at the end thereof "; and periods (up to five years) of advanced professional training including internships and residencies)".

(4) Section 741(e) of such Act is amended to read as follows:

"(e) Such loans shall bear interest, on the unpaid balance of the loan, computed only for periods for which the loan is repayable, at the rate of 3 per centum per year".

(5)(A) Section 741 of such Act is further amended by adding at the end thereof the following new subsections: 82 Stat. 778.

Late payment, penalty.

"(j) Subject to regulations of the Secretary, a school may assess a charge with respect to a loan made under this part for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment of the loan under subsection (c) or cancellation of part or all of the loan under subsection (f), for any failure to file timely and satisfactory evidence of such entitlement. The amount of any such charge may not exceed $1 for the first month or part of a month by which such installment or evidence is late and $2 for each such month or part of a month thereafter. The school may elect to add the amount of any such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the school not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

Minimum payment.

"(k) A school may provide, in accordance with regulations of the Secretary, that during the repayment period of a loan from a loan fund established pursuant to an agreement under this part payments of principal and interest by the borrower with respect to all the outstanding loans made to him from loan funds so established shall be at a rate equal to not less than $15 per month."

77 Stat. 171.
42 USC 294.

(B) Subsection (b)(2) of section 740 of such Act is further amended by striking out "and (D)" and inserting in lieu thereof "(D) collections pursuant to section 741(j), and (E)".

Appropriation.
79 Stat. 1057.

(b)(1) The first sentence of subsection (a) of section 742 of such Act (42 U.S.C. 294b) is amended by striking out "and" before "$25,000,000" and by inserting before the period at the end thereof ", and $35,000,000 each for the fiscal year ending June 30, 1970, and the next fiscal year".

(2) The third sentence of such subsection is amended by striking out "1970" and "1969" and inserting in lieu thereof "1972" and "1971", respectively.

80 Stat. 1232.

(3) The fourth sentence of such subsection is amended by striking out "and" before "(2)" and by inserting before the period at the end thereof ", and (3) for transfers pursuant to section 746".

(c) Section 743 of such Act (42 U.S.C. 294c) is amended by striking out "1972" each place it appears therein and inserting in lieu thereof "1974".

(d)(1) Section 744(a)(1) of such Act (42 U.S.C. 294d) is amended by inserting "and each of the next three fiscal years," after "1968,".

(2) Section 744(c) of such Act is amended by striking out "$35,000,000" and inserting in lieu thereof "$45,000,000".

(e) Part C of title VII of such Act (42 U.S.C. 294, et seq.) is further amended by adding at the end thereof the following new section:

"TRANSFER OF FUNDS TO SCHOLARSHIPS

"SEC. 746. Not to exceed 20 per centum of the amount paid to a school from the appropriations for any fiscal year for Federal capital contributions under an agreement under this part, or such larger percentage thereof as the Secretary may approve, may be transferred to the sums available to the school under part F of this title to be used for the same purpose as such sums. In the case of any such transfer, the amount of any funds which the school deposited in its student loan fund pursuant to section 740(b)(2)(B) with respect to the amount so transferred may be withdrawn by the school from such fund."

Post, p. 779.

Effective dates.

(f) The amendments may be subsections (a)(1), (b)(3), and (e) shall apply with respect to appropriations for fiscal years ending after June 30, 1969. The amendment made by subsection (a)(3) shall apply (1) with respect to all loans made under an agreement under part (C) of title VII of the Public Health Service Act after June 30, 1969, and (2) with respect to loans made thereunder before July 1, 1969, to the extent agreed to by the school which made the loans and the Secretary (but, then, only as to years beginning after June 30, 1969). The amendment made by subsection (a) (4) and (5) shall apply with respect to loans made after June 30, 1969.

82 Stat. 779.

SCHOLARSHIPS

SEC. 122. (a) Subsection (a) of section 780 of the Public Health Service Act (42 U.S.C. 295g) is amended by striking out "or pharmacy" and inserting in lieu thereof "pharmacy, or veterinary medicine". The heading of such section is amended by striking out "OR PHARMACY" and inserting in lieu thereof "PHARMACY, OR VETERINARY MEDICINE".

79 Stat. 1055.

(b) Subsection (b) of such section is amended by inserting "and each of the next two fiscal years" after "1969," in the first sentence and by striking out "1970" and "1969" and inserting in lieu thereof "1962" and "1971", respectively, in the second sentence.

(c)(1) Paragraph (1) of subsection (c) of such section is amended by inserting "and each of the next two fiscal years" after "1969" in clause (D) and by striking out "1969" and "1970" in clause (E) and inserting in lieu thereof "1971" and "1972", respectively.

(2) The first sentence of paragraph (2) of such subsection (c) is amended by striking out "from low-income families who, without such financial assistance could not" and inserting in lieu thereof "of exceptional financial need who need such financial assistance to".

(d) Part F of title VII of the Public Health Service Act is further amended by inserting after section 780 the following new section:

"TRANSFER TO STUDENT LOAN FUNDS

"Sec. 781. Not to exceed 20 per centum of the amount paid to a school from the appropriations for any fiscal year for scholarships under this part, or such larger percentage thereof as the Secretary may approve, may be transferred to the sums available to the school under part C for (and to be regarded as) Federal capital contributions, to be used for the same purpose as such sums."

Effective dates.

(e) The amendment made by subsections (a), (b), (c)(1), and (d) shall apply with respect to appropriations for fiscal years ending June 30, 1969. The amendments made by subsection (c)(2) shall apply with respect to scholarships from appropriations for fiscal years ending after June 30, 1969.

Part D—Miscellaneous

STUDY OF SCHOOL AID AND STUDENT AID PROGRAMS

Report to President and Congress.
42 USC 293e.
Ante, p. 777.
42 USC 293-294e, 295f-295g.

Sec. 131. The Secretary shall, in consultation with the Advisory Councils established by sections 725 and 774, prepare, and submit to the President and the Congress prior to July 1, 1970, a report on the administration of parts B, C, E, and F of title VII of the Public Health Service Act, an appraisal of the programs under such parts in the light of their adequacy to meet the long-term needs for health professionals, and his recommendations as a result thereof.

82 Stat. 780.

TITLE II—NURSE TRAINING

Part A—Construction Grants

EXTENSION OF CONSTRUCTION AUTHORIZATION

78 Stat. 908.

Sec. 201. (a) Section 801 of the Public Health Service Act (42 U.S.C. 296) is amended to read as follows:

"Sec. 801. (a) There are authorized to be appropriated, for grants to assist in the construction of new facilities for collegiate, associate degree, or diploma schools of nursing, or replacement or rehabilitation of existing facilities for such schools, $25,000,000 for the fiscal year ending June 30, 1970, and $35,000,000 for the fiscal year ending June 30, 1971.

"(b) Sums appropriated pursuant to subsection (a) for a fiscal year shall remain available for obligation through the close of the next fiscal year."

(b) Section 802(a) of such Act (42 U.S.C. 296a) is amended by striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970."

FEDERAL SHARE

Sec. 202. Section 803(a) of the Public Health Service Act (42 U.S.C. 296b) is amended by striking out "may not exceed 50 per centum" in clause (B) and inserting in lieu thereof "may not, except where the Secretary determines that unusual circumstances make a larger percentage (which may in no case exceed 66⅔ per centum) necessary in order to effectuate the purposes of this part, exceed 50 per centum".

INCLUSION OF TRUST TERRITORY

SEC. 203. Section 843(a) of the Public Health Service Act (42 U.S.C. 298b) is amended by striking out "or the Virgin Islands" and inserting in lieu thereof "the Virgin Islands, or the Trust Territory of the Pacific Islands".

AMENDMENT OF DEFINITION OF COLLEGIATE SCHOOL OF NURSING

SEC. 204. Section 843(c) of the Public Health Service Act is amended by inserting before the period at the end thereof ", and including advanced training related to such program of education provided by such school".

EFFECTIVE DATE

SEC. 205. The amendments made by sections 201 and 204 shall apply with respect to appropriations for fiscal years ending after June 30, 1969.

PART B—SPECIAL PROJECT AND INSTITUTIONAL GRANTS TO SCHOOLS OF NURSING

SPECIAL PROJECT AND INSTITUTIONAL GRANTS

SEC. 211. Sections 805 and 806 of the Public Health Service Act (42 U.S.C. 296d, 296e) are amended to read as follows:

82 Stat. 781.

"IMPROVEMENT IN NURSE TRAINING

"SEC. 805. (a) From the sums available therefor from appropriations under section 808 for the fiscal year ending June 30, 1970, and the next fiscal year, grants may be made to assist any public or nonprofit private agency, organization, or institution to meet the cost of special projects to plan, develop, or establish new programs or modifications of existing programs of nursing education or to effect significant improvements in curriculums of schools of nursing or for research in the various fields of nursing education, or to assist schools of nursing which are in serious financial straits to meet their costs of operation or to assist schools of nursing which have special need for financial assistance to meet accreditation requirements, or to assist in otherwise strengthening, improving, or expanding programs of nursing education, or to assist any such agency, organization, or institution to meet the costs of other special projects which will help to increase the supply of adequately trained nursing personnel needed to meet the health needs of the Nation.

Priority of projects.

"(b) In determining priority of projects for which applications are filed under subsection (a), the Secretary shall give priority in the following order:

"(1) the relative need of the applicant (if a school of nursing) for financial assistance to continue in operation or avoid curtailing enrollment or reduction in the quality of training provided;

"(2) the special need of the applicant for financial assistance in connection with its merger with a school of nursing;

"(3) the relative need of the applicant for financial assistance to maintain or provide for accreditation as a school of nursing; and

"(4) the extent to which the project will increase enrollment of full-time students receiving nursing training.

"INSTITUTIONAL GRANTS

Distribution.

"SEC. 806. (a) The sums available for grants under this section from appropriations under section 808 for the fiscal year ending June 30, 1970, and the next fiscal year shall be distributed to the schools with approved applications as follows: Each school shall receive $15,000; and of the remainder—

"(A) 75 per centum shall be distributed on the basis of—

"(i) the relative enrollment of full-time students for such year, and

"(ii) the relative increase in enrollment of such students for such year over the average enrollment of such school for the five school years preceding the year for which the application is made;

with the amount per full-time student so computed that a school receives twice as much for each such student in the increase as for other full-time students, and

"(B) 25 per centum shall be distributed on the basis of the relative number of graduates for such year.

In computing the increase under clause (A) (ii) of the preceding sentence for any school, there shall be excluded a number equal to the increase required by subsection (b) (except in the case of a school to which the third sentence of such subsection applies).

Enrollment increase requirement.

(b) The Secretary shall not make a grant under this section to any school from any appropriation for a fiscal year ending after June 30, 1970, unless the application for such grant contains or is supported by reasonable assurances that for the first school year beginning after the fiscal year for which such grant is made and each school year thereafter during which such a grant is made the first-year enrollment of full-time students in such school will exceed the average of the first-year enrollment of such students in such school for the two school years having the highest such enrollment during the five school years during the period of July 1, 1963, through June 30, 1968, by at least 2½ per centum of such average first-year enrollment, or by five students, whichever is greater. The requirements of this subsection shall be in addition to the require-

82 Stat. 782.

ments of section 802(b) (2) (D) of this Act, where applicable. The Secretary is authorized to waive (in whole or in part) the provisions of this subsection if he determines, after consulation with the National Advisory Council on Nurse Training, that the required increase in first-year enrollment of full-time students in a school cannot, because of limitations of physical facilities available to the school for training, be accomplished without lowering the quality of training provided therein.

78 Stat. 909.
42 USC 296a.
Waiver.

"(c) (1) For the purposes of this part and part D, regulations of the Secretary shall include provisions relating to determination of the number of students enrolled in a school, or in a particular year-class in a school, or the number of graduates from a school, as the case may be, on the basis of estimates, or on the basis of the number of students who were enrolled in a school, or in particular year-class in a school, or were graduates from a school in earlier years, as the case may be, or on such basis as he deems appropriate for making such determination, and shall include methods of making such determination when a school or a year-class was not in existence in an earlier year at a school.

Post, pp. 785, 786.

"(2) For purpose of this part and part D, the term 'full-time students' (whether such term is used by itself or in connection with a particular year-class) means students pursuing a full-time course of study in an accredited program in a school of nursing."

"Full-time students."

CONDITIONS OF ELIGIBILITY

Sec. 212. Part A of title VIII of the Public Health Service Act is amended by adding at the end thereof the following new sections:

"APPLICATIONS FOR GRANTS

"Sec. 807. (a) The Secretary may from time to time set dates (not earlier than in the fiscal year preceding the year for which a grant is sought) by which applications under section 805 or 806 for any fiscal year must be filed.

42 USC 296–296e.

"(b) The Secretary shall not approve or disapprove any application for a grant under this part except after consultation with the National Advisory Council on Nurse Training.

"(c) A grant under section 805 or 806 may be made only if the application therefor—

"(1) is from a public or nonprofit private school of nursing, or, in the case of grants under section 805, a public or nonprofit private agency, organization, or institution;

"(2) contains or is supported by assurances satisfactory to the Secretary that the applicant will expend in carrying out its functions as a school of nursing, during the fiscal year for which such grant is sought, an amount of funds (other than funds for construction as determined by the Secretary) from non-Federal sources which are at least as great as the average amount of funds expended by such applicant for such purpose (excluding expenditures of a nonrecurring nature) in the three fiscal years immediately preceding the fiscal year for which such grant is sought;

82 Stat. 783.

"(3) contains such additional information as the Secretary may require to make the determinations required of him under this part and such assurances as he may find necessary to carry out the purposes of this part; and

"(4) provides for such fiscal control and accounting procedures and reports, and access to the records of the applicant, as the Secretary may require to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part.

"AUTHORIZATION FOR APPROPRIATIONS

"SEC. 808. (a) There are authorized to be appropriated $35,000,000 for the fiscal year ending June 30, 1970, and $40,000,000 for the fiscal year ending June 30, 1971, for improvement grants under section 805 and institutional grants under section 806.

"(b) Of the sums appropriated under subsection (a) of this section $15,000,000 shall be available for each of the fiscal years ending June 30, 1970, and June 30, 1971, for grants under section 805."

CONFORMING CHANGE

SEC. 213. Clause (2) of section 843(f) of the Public Health Service Act (42 U.S.C. 298b) is amended to read: "(2) in the case of a school applying for a grant under section 806 for any fiscal year, prior to the beginning of the first academic year following the normal graduation date of the class which is the entering class for such fiscal year (or is the first such class in such year if there is more than one);".

EFFECTIVE DATE

SEC. 214. The amendments made by the preceding provisions of this part shall apply with respect to appropriations for fiscal years ending after June 30, 1969.

PLANNING FOR FISCAL YEAR 1969

78 Stat. 912.
42 USC 296d.

SEC. 215. Effective only with respect to appropriations for the fiscal year ending June 30, 1969, section 805(a) of the Public Health Service Act is amended by inserting at the end thereof the following new sentence: "Appropriations under this section shall also be available for grants for planning special projects for which grants are authorized under this section as amended by the Health Manpower Act of 1968."

PART C—STUDENT AID

ADVANCED TRAINING

Appropriation.

SEC. 221. Section 821(a) of the Public Health Service Act (42 U.S.C. 297) is amended by striking out "and" before "$12,000,000" and by inserting "$15,000,000 for the fiscal year ending June 30, 1970, and $19,000,000 for the fiscal year ending June 30, 1971," after "1969,".

STUDENT LOANS

Sec. 222. (a)(1) Clauses (2) and (3) of section 822(b) of the Public Health Service Act (42 U.S.C. 297a) are each amended by inserting ", except as provided in section 829," after "fund" the first time it appears therein.

(2) Section 822(b)(4) of such Act is amended by striking out "1969" and inserting in lieu thereof "1971".

(b)(1) Section 823(a) of such Act (42 U.S.C. 297b) is amended by striking out "$1,000" and inserting in lieu thereof "$1,500", by inserting "to licensed practical nurses and" immediately after "preference", and by inserting after the first sentence the following new sentence: "The aggregate of the loans for all years from such funds may not exceed $6,000 in the case of any student.".

82 Stat. 784.

(2) Section 823(b)(2) of such Act is amended by (A) striking out "one year" and inserting in lieu thereof "nine months" and (B) striking "except that" and all that follows down to but not including the semicolon and inserting in lieu thereof "excluding from such 10-year period all (A) periods (up to three years) of (i) active duty performed by the borrower as a member of a uniformed service, or (ii) service as a volunteer under the Peace Corps Act, and (B) periods (up to five years) during which the borrower is pursuing a full-time course of study at a collegiate school of nursing leading to baccalaureate degree in nursing or an equivalent degree, or to graduate degree in nursing, or is otherwise pursing advanced professional training in nursing".

78 Stat. 914.
42 USC 297b.

(3) Section 823(b)(3) of such Act is amended by inserting before the semicolon at the end thereof the following: ", except that such rate shall be 15 per centum for each complete year of service as such a nurse in a public or other nonprofit hospital in any area which is determined, in accordance with regulations of the Secretary, to be an area which has a substantial shortage of such nurses at such hospitals, and for the purpose of any cancellation at such higher rate, an amount equal to an additional 50 per centum of the total amount of such loans plus interest may be cancelled".

(4) Section 823(b)(5) of such Act is amended by striking out everything which follows "3 per centum per annum" down to but not including the second semicolon.

79 Stat. 1058.

(c)(1) Section 823 of such Act is further amended by adding at the end thereof the following new subsections:

Late payment, penalty.

"(f) Subject to regulations of the Secretary, a school may assess a charge with respect to a loan from the loan fund established pursuant to an agreement under this part for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment of the loan under subsection (b)(2) or cancellation of part or all of the loan under subsection (b)(3), for any failure to file timely and satisfactory evidence of such entitlement. The amount of any such charge may not exceed $1 for the first month or part of a month by which such installment or evidence is late and $2 for each such month or part of a month thereafter.

The school may elect to add the amount of any such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the school not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

Minimum payment.

"(g) A school may provide in accordance with regulations of the Secretary, that during the repayment period of a loan from a loan fund established pursuant to an agreement under this part payments of principal and interest by the borrower with respect to all the outstanding loans made to him from loan funds so established shall be at a rate equal to not less than $15 per month."

42 USC 297a.

(2) Subsection (b)(2) of section 822 of such Act is further amended by striking out "and (D)" and inserting in lieu thereof "(D) collections pursuant to section 823(f), and (E)".

Appropriation.
82 Stat. 785.

(d)(1) Section 824 of such Act (42 U.S.C. 297c) is amended by inserting "$20,000,000 for the fiscal year ending June 30, 1970, and $21,000,000 for the fiscal year ending June 30, 1971," after "1969" the first time it appears therein, by striking out "1970" and inserting in lieu thereof "1972", and by striking out "1969," the second time it appears therein and inserting in lieu thereof "1971,".

80 Stat. 1235.
42 USC 297c.

(2) The second sentence of such section is amended by inserting before the period at the end thereof ", and (3) for transfers pursuant to section 829".

78 Stat. 915.

(e) The first two sentences of section 825 of such Act (42 U.S.C. 297d) are amended to read as follows: "From the sums appropriated pursuant to section 824 for any fiscal year, the Secretary shall allot to each school an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in such school bears to the total number of persons enrolled on a full-time basis in all schools of nursing in all the States. The number of persons enrolled on a full-time basis in schools of nursing for purposes of this section shall be determined by the Secretary for the most recent year for which satisfactory data are available to him."

(f) Section 826 of such Act (42 U.S.C. 297e) is amended by striking out "1972" each place it appears therein and inserting in lieu thereof "1974".

80 Stat. 1233.

(g) Section 827(a)(1) of such Act (42 U.S.C. 297f) is amended by inserting "and each of the next three fiscal years," after "1968,".

(h) Part B of title VIII of such Act (42 U.S.C. 297, et seq.) is further amended by adding at the end thereof the following new section:

"TRANSFERS TO SCHOLARSHIP PROGRAM

"SEC. 829. Not to exceed 20 per centum of the amount paid to a school from the appropriation for any fiscal year for Federal capital contributions under an agreement under this part, or such larger percentage thereof as the Secretary may approve, may be transferred to the sums available to the school under part D to be used for the same purpose as such sums. In the case of any such transfer, the amount of any funds which the school deposited in its student loan fund pursuant to section 822(b)(2)(B) with respect to the amount so transferred may be withdrawn by the school from such fund."

42 USC 297a.

Effective dates.

(i) The amendments made by subsection (b)(1) and (2) shall apply with respect to all loans made after June 30, 1969, and with respect to loans made from a student loan fund established under an agreement pursuant to section 822, before July 1, 1969, to the extent agreed to by the school which made the loans and the Secretary (but then only for years beginning after June 30, 1968). The amendments made by subsection (b)(4) and subsection (c) shall apply with respect to loans made after June 30, 1969. The amendment made by subsection (h) shall apply with respect to appropriations for fiscal years beginning after June 30, 1969. The amendment made by subsection (b)(3) shall apply with respect to service, specified in section 823(b)(3) of such Act, performed during academic years beginning after the enactment of this Act, whether the loan was made before or after such enactment.

Ante, p. 784.

SCHOLARSHIPS

80 Stat. 1236.

SEC. 223. (a) So much of part D of title VIII of the Public Health Service Act (42 U.S.C. 298c et seq.) as precedes section 868 is amended to read as follows:

82 Stat. 786.

"PART D—SCHOLARSHIP GRANTS TO SCHOOLS OF NURSING

"SCHOLARSHIP GRANTS

"SEC. 860. (a) The Secretary shall make grants as provided in this part to each public or other nonprofit school of nursing for scholarships to be awarded annually by such school to students thereof.

"(b) The amount of the grant under subsection (a) for the fiscal year ending June 30, 1970, and the next fiscal year to each such school shall be equal to $2,000 multiplied by one-tenth of the number of full-time students of such school. For the fiscal year ending June 30, 1972, and for each of the three succeeding fiscal years, the grant under subsection (a) shall be such amount as may be necessary to enable such school to continue making payments under scholarship awards to students who initially received such awards out of grants made to the school for fiscal years ending prior to July 1, 1971.

Recipients.

"(c)(1) Scholarships may be awarded by schools from grants under subsection (a)—

"(A) only to individuals who have been accepted by them for enrollment, and individuals enrolled and in good standing, as full-time students, in the case of awards from such grants for the fiscal year ending June 30, 1970, and the next fiscal year; and

"(B) only to individuals enrolled and in good standing as full-time students who initially received scholarship awards out of such grants for a fiscal year ending prior to July 1, 1971, in the case of awards from such grants for the fiscal year ending June 30, 1972, and each of the three succeeding fiscal years.

Amount, limitation.

"(2) Scholarships from grants under subsection (a) for any school year shall be awarded only to students of exceptional financial need who need such financial assistance to pursue a course of study at the school for such year. Any such scholarship awarded for a school year shall cover such portion of the student's tuition, fees, books, equipment, and living expenses at the school making the award, but not to exceed $1,500 for any year in the case of any student, as such school may determine the student needs for such year on the basis of his requirements and financial resources.

"(d) Grants under subsection (a) shall be made in accordance with regulations prescribed by the Secretary after consultation with the National Advisory Council on Nurse Training.

"(e) Grants under subsection (a) may be paid in advance or by way of reimbursement, and at such intervals as the Secretary may find necessary; and with appropriate adjustments on account of overpayments or underpayments previously made.

"TRANSFERS TO STUDENT LOAN PROGRAM

"Sec. 861. Not to exceed 20 per centum of the amount paid to a school from the appropriation for any fiscal year for scholarships under this part, or such larger percentage thereof as the Secretary may approve for such school for such year, may be transferred to the sums available to the school under this part for (and to be regarded as) Federal capital contributions, to be used for the same purpose as such sums."

Effective date.

(b) The amendment made by subsection (a) shall apply with respect to appropriations for fiscal years ending after June 30, 1969.

82 Stat. 787.

Part D—Miscellaneous

DEFINITION OF ACCREDITATION

Sec. 231. (a) Subsections (c) and (e) of section 843 of the Public Health Service Act (42 U.S.C. 298b) are each amended by striking out "an accredited program" and inserting in lieu thereof "a program".

78 Stat. 918.

(b) Subsection (d) of such section is amended by striking out "an accredited two-year program" and inserting in lieu thereof "a two-year program".

(c) Such subsection (c) is further amended by adding before the period at the end thereof (and after the language added by section 205 of this Act) ", but only if such program, or such unit, college, or university is accredited".

(d) Such subsection (d) is further amended by adding before the period at the end thereof ", but only if such program, or such unit, college, or university is accredited".

(e) Such subsection (e) is further amended by adding before the period at the end thereof ", but only if such program, or such affiliated school or such hospital or university or such independent school is accredited".

79 Stat. 1058.

(f) So much of subsection (f) of such section as precedes clause (1) is amended—

(1) by inserting ", or by a State agency," immediately after "accredited by a recognized body or bodies";

(2) by inserting "or State agency" immediately after "such a recognized body or bodies";

(3) by inserting after "Commissioner of Education" the first time it appears therein "and when applied to a hospital, school, college, or university (or a unit thereof) means a hospital, school, college, or university (or a unit thereof) which is accredited by a recognized body or bodies, or by a State agency, approved for such purpose by the Commissioner of Education";

(4) by striking out "or a program accredited for the purpose of this Act by the Commissioner of Education";

(5) by inserting ", or a hospital, school, college, or university (or a unit thereof)," immediately after "except that a program";

(6) by inserting ", or the hospital, school, college, or university (or a unit thereof)," immediately after "reasonable assurance that the program"; and

(7) by striking out "by the school which provides or will provide such program".

(g) Such subsection (f) is further amended by adding at the end thereof the following new sentence: "For the purpose of this paragraph, the Commissioner of Education shall publish a list of recognized accrediting bodies, and of State agencies, which he determines to be reliable authority as to the quality of training offered."

STUDY OF SCHOOL AID AND STUDENT AID PROGRAMS

Report to President and Congress.
42 USC 298.
42 USC 296-298c-8.

SEC. 232. The Secretary shall, in consultation with the Advisory Council established by section 841, prepare, and submit to the President and the Congress prior to July 1, 1970, a report on the administration of title VIII of the Public Health Service Act, an appraisal of the programs under such title in the light of their adequacy to meet the long-term needs for nurses, and his recommendations as a result thereof.

82 Stat. 788.

TITLE III—ALLIED HEALTH PROFESSIONS AND PUBLIC HEALTH TRAINING

EXTENSION AND IMPROVEMENT OF ALLIED HEALTH PROFESSIONS PROGRAM

Appropriations. 80 Stat. 1222.

SEC. 301. (a) (1) (A) Section 791(a) (1) of the Public Health Service Act (42 U.S.C. 295h) is amended by striking out "and $13,500,000 for the fiscal year ending June 30, 1969" and inserting in lieu thereof "$13,500,000 for the fiscal year ending June 30, 1969; and $10,000,000 for the fiscal year ending June 30, 1970".

(B) Section 791(b) (1) of such Act is amended by striking out "1968" and inserting in lieu thereof "1969".

(2) (A) Section 792(a) of such Act (42 U.S.C. 295h–1) is amended by striking out "and $17,000,000 for the fiscal year ending June 30, 1969" and inserting in lieu thereof "$17,000,000 for the fiscal year ending June 30, 1969; and $20,000,000 for the fiscal year ending June 30, 1970."

(B) Section 792(b) (1) of such Act is amended by striking out "1969" and inserting in lieu thereof "1970".

(3) Section 793(a) of such Act (42 U.S.C. 295h–2) is amended by striking out "and $3,500,000 for the fiscal year ending June 30, 1969" and inserting in lieu thereof $3,500,000 for the fiscal year ending June 30, 1969; and $5,000,000 for the fiscal year ending June 30, 1970".

(4) Section 794 of such Act (42 U.S.C. 295h–3) is amended by striking out "and $3,000,000 for the fiscal year ending June 30, 1969" and inserting in lieu thereof "$3,000,000 for the fiscal year ending June 30, 1969; and $4,500,000 for the fiscal year ending June 30, 1970".

(b) Such section 794 is further amended by—

(1) striking out "training centers for allied health professions" and inserting in lieu thereof "agencies, institutions, and organizations";

(2) inserting "and methods" after "curriculums"; and

(3) striking out "new types of".

(c) Part G of title VII of such Act is further amended by adding at the end thereof the following new section:

"EVALUATION

"SEC. 797. Such portion of any appropriation pursuant to section 791, 792, 793, or 794, for any fiscal year ending after June 30, 1969, as the Secretary may determine, but not exceeding one-half of 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this part."

(d) Such part G is further amended by adding after section 797 (added by subsection (c)) the following new section:

"STUDY

"Sec. 798. The Secretary shall prepare, and submit to the President and the Congress prior to April 1, 1969, a report on the administration of this part, an appraisal of the programs under this part in the light of their adequacy to meet the needs for allied health professions personnel, and his recommendations as a result thereof."

Report to President and Congress.

PUBLIC HEALTH TRAINING

Sec. 302 (a) Section 309(a) of the Public Health Service Act (42 U.S.C. 242g) is amended by striking out "and" before "$9,000,000" and by inserting "$8,500,000 for the fiscal year ending June 30, 1970, and $12,000,000 for the fiscal year ending June 30, 1971," after 1969.

Appropriation. 78 Stat. 613.

(b) (1) Section 306(a) of the Public Health Service Act (42 U.S.C. 242d) is amended (1) by striking out "and" before "$10,000,000" and by striking out "the succeeding fiscal year," and inserting in lieu thereof "the two succeeding fiscal years, and $14,000,000 for the fiscal year ending June 30, 1971", and (2) by inserting "sanitarians," immediately after "nurses,".

82 Stat. 789.
70 Stat. 923;
78 Stat. 613.

(2) Section 306(d) of such Act is amended by striking out "$50" and inserting in lieu thereof "$100".

Advisory committee, compensation. 79 Stat. 448.

TITLE IV—HEALTH RESEARCH FACILITIES

EXTENSION OF CONSTRUCTION AUTHORIZATION

Sec. 401. (a) Section 704 of the Public Health Service Act (42 U.S.C. 292c) is amended by striking out "and" after "$50,000,000"; and by inserting "$20,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the next fiscal year," after "$280,000,000,".

(b) Section 705(a) of such Act (42 U.S.C. 293) is amended by striking out "1968" and inserting in lieu thereof "1970".

42 USC 292d.

FEDERAL SHARE

Sec. 402. (a) Subsection (a) of section 706 of the Public Health Service Act (42 U.S.C. 292e) is amended by striking out "except that in no event may such amount exceed 50 per centum" and inserting in lieu thereof "but such amount may not, except as provided in paragraph (2), exceed 50 per centum".

70 Stat. 719.

(b) Such subsection (a) of section 706 is further amended by inserting "(1)" after "(a)" and adding at the end thereof the following new paragraph:

"(2) The maximum amount of any grant shall be 66⅔ per centum instead of the maximum under paragraph (1) in the case of any class or classes of projects which the Secretary determines have such special national or regional significance as to warrant a larger grant than is permitted under paragraph

(1); but not more than 25 per centum of the funds appropriated pursuant to section 704 for any fiscal year shall be available for grants in excess of 50 per centum with respect to such class or classes of projects."

ADVISORY COUNCIL COMPENSATION

SEC. 403. Section 703(d) of the Public Health Service Act (42 U.S.C. 292b) is amended by striking out "$50" and inserting in lieu thereof "$100".

EFFECTIVE DATE

SEC. 404. The amendments made by section 402 shall apply in the case of projects for which grants were made from appropriations for fiscal years ending after June 30, 1969.

82 Stat. 789.
Ante, p. 275.

SEC. 405. The clause of section 101(b) of the Joint Resolution of June 29, 1968 (Public Law 90-366) relating to activities of the domestic agricultural workers health program of the Department of Health, Education, and Welfare, is amended by striking out ", other than grants,".

9. PUBLIC HEALTH SERVICE ACT AMENDMENTS SPECIFICALLY RELATING TO TRAINING

(Public Law 90-574, approved Oct. 15, 1968—

Sections 252 and 504)

(NOTE.—Although this report is principally concerned with secs. 252 and 504 of Public Law 90-574, the act as a whole affects education and training in medical and health services.)

A. LEGISLATIVE HISTORY

In the House, H.R. 15758, a bill to amend the Public Health Service Act, was introduced on March 5, 1968, by Representative Harley O. Staggers, of West Virginia. The bill was referred to the Committee on Interstate and Foreign Commerce. Hearings on the bill were held before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce on March 26, 27, and 28, 1968. The record of the hearings was printed in a volume of 305 pages. The bill was reported in the House on June 10, 1968 (H. Rept. 1536). It passed the House on July 12, 1968.

In the Senate, hearings on "Health Services Amendments" were held before the Subcommittee on Health of the Committee on Labor and Public Welfare on July 12, 1968. The record of the hearings was printed in a volume of 88 pages. H.R. 15758 was reported in the Senate, from the Committee on Labor and Public Welfare, on July 24, 1968 (S. Rept. 1454). H.R. 15758 passed the Senate, amended on July 27, 1968.

On July 31, 1968, the House asked for a conference. On August 1, 1968, the Senate agreed to a conference. The conference report was filed on September 25, 1968 (H. Rept. 1924). The Senate agreed to the conference report on September 27, 1968. The House agreed to the conference report on October 1, 1968. The act was approved by the President on October 15, 1968, and became Public Law 90-574.

B. Digest of Sections 252 and 504 of the Act

Section 252.—This section authorizes the Secretary of Health, Education, and Welfare during the fiscal years 1969 and 1970 to make grants to public or nonprofit private agencies and organizations to cover all or part of the cost of (1) developing specialized training programs or materials relating to the provision of public health services for the prevention and treatment of narcotic addiction, or developing inservice training or short-term or refresher courses with respect to the provision of such services; (2) training personnel to operate, supervise, and administer such services; and (3) conducting surveys and field trials to evaluate the adequacy of the programs for the prevention and treatment of narcotic addiction within the several States.

Section 504.—This section permits a veteran to supplement GI benefits with a scholarship or student loan under the Public Health Service Act.

C. Text of Sections 252 and 504 of the Act

Following is the text of sections 252 and 504 of Public Law 90–574:

AN ACT To amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes.

82 Stat. 1005.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Public Health Service Act, amendment.

* * * * * * *

TITLE III—ALCOHOLIC AND NARCOTIC ADDICT REHABILITATION

Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968.

Sec. 300. This title may be cited as the "Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968".

* * * * * * *

Part B—Narcotic Addiction

Sec. 302. The Community Mental Health Centers Act (42 U.S.C. 2681, et seq.) is further amended by inserting after part C (added by section 301 of this Act) the following new part:

* * * * * * *

"TRAINING AND EVALUATION

"Sec. 252. The Secretary is authorized, during the period beginning July 1, 1968, and ending with the close of June 30, 1970, to make grants to any public or nonprofit private agencies and organizations to cover part or all of the cost of (A) developing specialized training programs or materials relating to the provision of public health services for the prevention and treatment of narcotic addiction, or developing in-service training or short-term or refresher courses with respect to the provision of such services; (B) training personnel to operate, supervise, and administer such services; and (C) conducting surveys and field trials to evaluate the adequacy of the programs for the prevention and treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs.

* * * * * *

TITLE V—MISCELLANEOUS

* * * * * *

DUPLICATION OF BENEFITS

Sec. 504. No grant, award, or loan of assistance to any student under any Act amended by this Act shall be considered a duplication of benefits for the purposes of section 1781 or title 38, United States Code. 80 Stat. 21.

10. HIGHER EDUCATION AMENDMENTS OF 1968

(Public Law 90-575, approved Oct. 16, 1968)

A. Legislative History

H.R. 15067, proposing amendments to higher education legislation, was introduced on February 5, 1968, by Representatives Carl D. Perkins, of Kentucky, and Edith Green of Oregon. The bill was referred to the Committee on Education and Labor.

Hearings on H.R. 15067 were held before the Special Subcommittee on Education of the Committee on Education and Labor in Washington, D.C., on February 6, 7, 8, 9, 20, 26, 28, 29, and March 1, 4, 5, 6, 7, and 8. The record of the hearings was printed in two parts totaling 912 pages.

H.R. 15067 was reported from the Committee on Education and Labor on July 8 1968 (H. Rept. 1649). On July 25, 1968, H.R. 15067 passed the House, the proceedings were vacated, H.R. 15067 was laid on the table and S. 3769, as amended, was passed in lieu.

In the Senate, hearings on "Education Legislation, 1968," were held before the Subcommittee on Education of the Committee on Labor and Public Welfare on March 12, 13, 25, 26, 27, and 28 in Washington, D.C.; on March 29 in Austin, Tex., and on April 2, 3, 4, and 5 in Washington, D.C. The record of the hearings was printed in eight parts, including appendixes, totaling 6,584 pages. The hearings related to (1)

S. 3098, a bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts; and (2) S. 3099, a bill to amend the Vocational Education Act of 1963, and for other purposes; and related bills. No further action was taken on S. 3098 or S. 3099.

On July 11, 1968, Senator Wayne Morse, of Oregon, reported from the Committee on Labor and Public Welfare a new bill, S. 3769, to be cited as the "Higher Education Amendments of 1968" (S. Rept. 1387). The bill passed the Senate on July 15, 1968.

Having passed S. 3769, amended, on July 25, 1968, the House asked for a conference. On July 27, 1968, the Senate agreed to a conference. The conference report was filed on September 25, 1968 (H. Rept. 1919). The House agreed to the conference report on September 26, 1968. The Senate agreed to the conference report on October 1, 1968. The act was approved on October 16, 1968, and became Public Law 90–575.

B. SOME PRESS COMMENTS

Concerning President Johnson's signing of the "Higher Education Amendments of 1968," the New York Times of October 17, 1968, reported in part as follows:

> WASHINGTON, October 16.—President Johnson today signed into law legislation to step up aid for the nation's overcrowded colleges. The bill also contained a provision to cut off aid to students who participate in campus disorders.
>
> * * * * * * *
>
> The higher education bill authorizes $7.3-billion through the fiscal year 1971 to help private and public universities to build classrooms, improve libraries and expand graduate student programs.
>
> * * * President Johnson said today he was seeing one of his dreams come true as he signed higher education and vocational education bills providing aid to college and high school students.
>
> Mr. Johnson said his main dream as President was to advance education among all people. He said he wanted every human being to have an opportunity to get all the education that he or she could take.[1]

Under date of October 18, 1968, Higher Education and National Affairs, a publication by the American Council in Education, reported:

> In a White House ceremony Oct. 16 with the First Lady present, President Johnson signed the 1968 amendments extending Federal assistance to higher education and vocational education. "When I became President," he said to an audience of Congressmen, educators, and Federal education officials, "I told myself that if I could do any one thing as President, I hoped it would be to advance education among all our people. So I would like to shout from the rooftops today that we are signing the 59th and 60th educational laws enacted during this Administration."
>
> At a press conference several hours later at Health, Education, and Welfare offices, HEW Secretary Wilbur J. Cohen departed from his prepared script to reminisce about the early days of Federal aid to education and then noted that, this year, the Higher Education amendments passed the House by a vote of 389 to 15, and the Senate by a 83–0 vote; the Vocational Education Amendments did not draw a dissenting vote in either House. Although he did not elaborate on the gap between authorizations and appropriations, he said passage of the two authorization bills was "a sure sign that educational excellence is a national concern that transcends partisanship."

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[1] "Johnson Signs Rise in Aid for Colleges; Rioters Penalized." New York Times, Oct. 17, 1968, p. 28.

A 25-page "Fact Sheet" on "The Higher Education Amendments of 1968" released by the U.S. Department of Health, Education, and Welfare on October 16, 1968, contains the following statement:

> The Higher Education Amendments of 1968 are designed to meet immediate problems and to lay the groundwork for future progress. This legislation is the most comprehensive aid to education measure since the Elementary and Secondary Education Act of 1965. It amends and extends such major legislation as the National Defense Education Act of 1958, the Higher Education Facilities Act of 1963, the Higher Education Act of 1965, and the International Education Act of 1966. In addition, it authorizes half a dozen new programs which will have major impact on the quality of higher education available to future generations of college students.
>
> The most important amendments to existing law involve Federal student assistance programs. The four currently authorized programs—Educational Opportunity Grants, College Work-Study, Guaranteed Student Loans, and NDEA Student Loans—provide financial assistance to more than 1.5 million young men and women now in college. A new program authorized by the Higher Education Amendments of 1968—Cooperative Education—will provide a fifth form of student assistance. This program will provide grants to colleges to help them establish programs of alternate full-time study and full-time work, similar to those conducted by Antioch and other colleges.

"Here's The Issue," a publication by the Chamber of Commerce of the United States, dated October 18, 1968, summarized Public Law 90–575 in a nutshell as follows:

> *Higher Education.*—(S. 3769). Extends and amends a number of laws relating to higher education, including: the National Defense Education Act (NDEA); the Higher Education Facilities Act; the Higher Education Act and the National Vocational Student Loan Insurance Act.
>
> Programs extended included a number of student aid programs; scholarships for the exceptionally needy, NDEA student loans, loan guarantees, and work-study assistance; grants and loans for college construction, aid for developing institutions, such as small negro colleges, special programs to encourage youth to go to college, and aid to libraries and for school equipment.
>
> New programs includes grants: to set up programs providing for alternate study and work; to encourage colleges and share facilities; to strengthen graduate programs; to improve the education of students preparing for public service; and to provide law students with clinical experience practice of law.
>
> Two other new programs gave special emphasis to aiding disadvantaged students. One would extend additional aid to elementary and secondary schools in poverty areas, and another would set up a new grant program to provide special services to college students of deprived background to permit them to stay in school. (P.L. 90–575).

C. Digest of the Act

Following is a digest of Public Law 90–575:

Title I—Student Assistance.—Authorizes an appropriation of $100 million for the fiscal year ending June 30, 1970, and $140 million for the fiscal year ending June 30, 1971. Authorizes the Commissioner of Education to make grants and enter into contracts for identifying qualified low-income students, preparing them for postsecondary education, and providing special services for such students in institutions of higher education.

Extends the authority for payments to reduce student interest in the insured student loan program. Extends the Federal loan insurance program and the authority to guarantee outstanding nonfederally insured loans. Authorizes the appropriation of $12,500,000 for making Federal advances after June 30, 1968, to the reserve funds of the non-Federal student loan insurance programs. Provides for the merger of the National Vocational Student Loan Insurance Act of 1965, with the student loan insurance program of the Higher Education Act of 1965.

Allows the Commissioner under certain specified circumstances to make a direct loan to any student who would be eligible for an insured loan for study at a vocational school. Authorizes the deferment of repayment of nonfederally insured loans during military, VISTA, or Peace Corps service or attendance at an eligible institution. Allows the Commissioner to issue certificates of insurance to a lender in a State for insurance of a loan made to a student borrower who does not have access to loan insurance under the loan insurance program of such State.

Authorizes the appropriations of $225 million for the fiscal year 1969, $225 million for the fiscal year 1970, and $285 million for the fiscal year 1971, for extension of the college work-study program.

Provides for grants to institutions of higher education for programs of cooperative education. Makes provisions for other grants and contracts for training and research in cooperative education.

Establishes in the Office of Education an Advisory Council on Financial Aid to Students. Provides for members who will be leading authorities in the field of education and persons representing State and private nonprofit loan insurance programs and institutions of higher education.

Provides for amendments to the national defense student loan program. Authorizes the appropriations of $210 million for the fiscal year 1969, $275 million for the fiscal year 1970, $300 million for the fiscal year June 30, 1971, for this program.

Title II—Amendments to Other Provisions of the Higher Education Act of 1965.—Provides for amendments to the college library assistance and library training and research programs. Enables the Librarian of Congress to pay administrative costs of cooperative arrangements for acquiring library materials published outside the United States, for institutions of higher education.

Authorizes the Commissioner to award grants to professors retired from active duty at institutions of higher education to encourage such professors to teach and conduct research at developing institutions. Grants the Commissioner the authority to provide medical insurance for members of the Teacher Corps. Provides for appropriations for equipment and materials for higher education.

Allows the Commissioner to enter into contracts and make grants to encourage colleges and universities to share through cooperative arrangements their technical and administrative facilities. Provides for free or reduced rate communications interconnection services.

Establishes a program of grants and contracts to improve education for the public service. Provides for the procedure by which a grant or contract may be made upon application to the Secretary of Health, Education, and Welfare. Authorizes the Secretary to award fellowships for graduate and professional study to persons who plan to pursue a career in public service.

Establishes a program to strengthen and improve the quality of graduate programs. Authorizes the Commissioner to enter into contracts with law schools to establish programs to provide clinical experience to students.

Provides for the establishment in the Office of Education of an Advisory Council on Graduate Education to advise the Commissioner on programs relating to graduate education. Authorizes the Commissioner to disseminate information and reports of programs to institutions of higher education.

Title III—Amendments to Other Provisions of the National Defense Education Act of 1958.—Extends the program of providing equipment and materials for elementary and secondary education. Authorizes reallotment of funds set aside for loans for private schools. Authorizes grants to local educational agencies for the acquisition of equipment and materials for educationally deprived children.

Increases the maximum length of fellowships from 3 to 4 years in special circumstances. Requires institutional effort to encourage recipients to enter or continue teaching. Provides for extension of such programs as the program for guidance and counseling and the program of language development.

Title IV—Amendments to Higher Education Facilities Act of 1963.—Broadens eligibility for construction grants. Provides for annual interest grants to assist institutions of higher education and building agencies to reduce the cost of borrowing from other sources.

Extends authorization for higher education constructive assistance to areas of major disaster.

Title V—Miscellaneous.—Extends program of financial assistance for strengthening instruction in the humanities and the arts. Provides for the extension of the International Education Act of 1966, to fiscal year 1971. Requires the President to submit to the Congress proposals relative to the feasibility of making available a postsecondary education to all young Americans who qualify and seek it.

D. TEXT OF THE LAW

Following is the text of Public Law 90-575:

82 Stat. 1014.

AN ACT to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related Acts.

Higher Education Amendments of 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Higher Education Amendments of 1968".

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82 Stat. 1016.

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PART F—AMENDMENT TO MISCELLANEOUS PROVISIONS (TITLE X)

Sec. 351. Provision in National Defense Education Act of 1958 for the Trust Territory of the Pacific Islands, for schools of Department of Interior for Indian children, and for overseas dependent schools of Department of Defense

TITLE IV—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963

82 Stat. 1017.

Sec. 401. Extension of program
Sec. 402. Broadening eligibility for construction grants
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TITLE V—MISCELLANEOUS

Sec. 501. Extension of program of financial assistance for strengthening instruction in the humanities and arts
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TITLE I—STUDENT ASSISTANCE

PART A—AMENDMENTS TO EDUCATIONAL OPPORTUNITY GRANT PROGRAM

EXTENSION OF EDUCATIONAL OPPORTUNITY GRANT PROGRAM

79 Stat. 1232.
20 USC 1061.

SEC. 101. (a) The first sentence of section 401(b) of the Higher Education Act of 1965 is amended by striking out "two succeeding fiscal years" and inserting in lieu thereof "three succeeding fiscal years, $100,000,000 for the fiscal year ending June 30, 1970, and $140,000,000 for the fiscal year ending June 30, 1971".

(b)(1) Such section is further amended by striking out the second sentence thereof.

20 USC 1065–1067.

(2) Sections 405(b), 406(b), and 407(b)(2) of such Act are each amended by striking out "third sentence" and inserting in lieu thereof "second sentence".

MAXIMUM AMOUNT OF EDUCATIONAL OPPORTUNITY GRANT; TREATMENT OF WORK-STUDY ASSISTANCE FOR MATCHING PURPOSES

20 USC 1062.

SEC. 102. The first sentence of section 402 of the Higher Education Act of 1965 is amended by striking out all that follows "which amount" and inserting in lieu thereof the following: "shall not exceed the lesser of $1,000 or one-half of the sum of the amount of student financial aid (including assistance under this title, and including compensation paid under a work-study program assisted under part C of this title) provided such student by such institution and any assistance provided such student under any scholarship program established by a State or a private institution or organization, as determined in accordance with regulation of the Commissioner."

ADMINISTRATIVE EXPENSES

20 USC 1067.

SEC. 103. Effective for fiscal years ending on or after June 30, 1970, section 407(a)(1) of the Higher Education Act of 1965 is amended by inserting before the semicolon the following: "and of section 463 of this Act (relating to administrative expenses)".

Post, p. 1033.

REVISION OF MAINTENANCE OF EFFORT PROVISION

82 Stat. 1018.

SEC. 104. Effective for fiscal years ending on or after June 30, 1970, section 407(a) (4) of the Higher Education Act of 1965 is amended to read as follows: 79 Stat. 1234. 20 USC 1067.

"(4) provide that the institution will meet the requirements of section 464 of this Act (relating to maintenance of effort);". *Post*, p. 1033.

CONSOLIDATION AND REVISION OF TALENT SEARCH AND UPWARD BOUND PROGRAMS; SPECIAL SERVICES TO DISADVANTAGED STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

SEC. 105. (a) Section 408 of the Higher Education Act of 1965 is amended to read as follows: 20 USC 1068.

"IDENTIFYING QUALIFIED LOW-INCOME STUDENTS; PREPARING THEM FOR POST SECONDARY EDUCATION; SPECIAL SERVICES FOR SUCH STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

"SEC. 408. (a) To assist in achieving the objectives of this part the Commissioner is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5))—

"(1) to make grants to, or contracts with, institutions of higher education and combinations of institutions of higher education for planning, developing, or carrying out one or more of the programs described in subsection (b),

"(2) to make grants to, or contracts with, public and private nonprofit agencies and organizations (including professional and scholarly associations) and to make contracts with public and private agencies and organizations for planning, developing, or carrying out Talent Search programs described in subsection (b) (1), and

"(3) in exceptional cases, to make grants to, or contracts with, secondary schools, and postsecondary educational institutions accredited by a State, for planning, developing, or carrying out Upward Bound programs described in subsection (b) (2).

No grant or contract for planning, developing, or carrying out a Talent Search program described in subsection (b) (1) may exceed $100,000 per year.

"(b) The programs referred to in subsection (a) are—

"(1) programs, to be known as 'Talent Search', designed to—

"(A) identify qualified youths of financial or cultural need with an exceptional potential for postsecondary training and encourage them to complete secondary school and undertake postsecondary educational training.

"(B) publicize existing forms of student financial aid, including aid furnished under this title, and

"(C) encourage secondary-school or college dropouts of demonstrated aptitude to reenter educational programs, including post-secondary-school programs;

"(2) programs, to be known as 'Upward Bound', (A) which are designed to generate skills and motivation necessary for success in education beyond high school and (B) in which enrollees from low-income backgrounds and with inadequate secondary-school preparation participate on a substantially full-time basis during all or part of the program; or

82 Stat. 1019.

"(3) programs, to be known as 'Special Services for Disadvantaged Students', of remedial and other special services for students with academic potential (A) who are enrolled or accepted for enrollment at the institution which is the beneficiary of the grant or contract, and (B) who, by reason of deprived educational, cultural, or economic background, or physical handicap, are in need of such services to assist them to initiate, continue, or resume their postsecondary education.

"(c)(1) Upward Bound programs under paragraph (2) of subsection (b) must include arrangements to assure cooperation among one or more institutions of higher education and one or more secondary schools. Such programs must include necessary health services. Enrollees in such programs may not receive stipends in excess of $30 per month. The cost of carrying out any such program may not exceed $150 per enrollee per month. Federal financial assistance by way of grant or contract for such a program may not be in excess of 80 per centum of the cost of carrying out such program. Such programs shall be carried on within the States.

"(2) Special Services for Disadvantaged Students programs carried on under paragraph (3) of subsection (b) may provide, among other things, for—

"(A) counseling, tutorial, or other educational services, including special summer programs, to remedy such students' academic deficiencies,

"(B) career guidance, placement, or other student personnel services to encourage or facilitate such students' continuance or reentrance in higher education programs, or

"(C) identification, encouragement, and counseling of any such students with a view to their undertaking a program of graduate or professional education.

Appropriation authorization.

"(d) There are authorized to be appropriated to carry out this section $10,000,000 in the fiscal year ending June 30, 1969 (of which $500,000 shall be available in connection with planning and related activities for Upward Bound programs described in subsection (b)(2)), $56,680,000 for the fiscal year ending June 30, 1970, and $96,000,000 for the fiscal year ending June 30, 1971."

81 Stat. 698.
42 USC 2809.

(b) Effective July 1, 1969, section 222(a) of the Economic Opportunity Act of 1964 is amended by striking out paragraph (5) and by redesignating paragraphs (6), (7), and (8) (and references thereto) as paragraphs (5), (6), and (7).

(c)(1) On July 1, 1969, all functions, powers, and duties of the Director of the Office of Economic Opportunity with respect to Upward Bound programs, are transferred to the Commissioner of Education. No provision of law which limits the number of persons who may be appointed as full-time civilian employees, or temporary and part-time employees, in the executive branch of the Government shall apply to employees of the Office of Education whose duties the Director of the Bureau of the Budget determines primarily relate (A) to programs carried out under section 408(b)(2) of the Higher Education Act of 1965, or (B) to functions transferred by this paragraph. In applying any such provision of law to the departments and agencies in the executive branch, the number of such employees of the Office of Education shall not be taken into account. *Ante,* p. 1018.

(2) For purposes of this subsection the term "Upward Bound program" means a program carried out under section 222(a)(5) of the Economic Opportunity Act of 1964 (as so designated prior to the amendment made by subsection (b) of this section) or a comparable program carried out under section 221 of such Act. "Upward Bound program." *Supra.* 42 USC 2808.

Part B—Amendments to Insured Student Loan Program

82 Stat. 1020.

EXTENSION OF AUTHORITY FOR PAYMENTS TO REDUCE STUDENT INTEREST COSTS; ELIMINATION OF AUTHORITY TO MAKE SUCH PAYMENTS DURING REPAYMENT PERIOD

Sec. 111. (a) Section 428(a)(4) of the Higher Education Act of 1965 is amended by striking out "October 31, 1968" and inserting in lieu thereof "June 30, 1971, except that, in the case of a loan made or insured under a student loan or loan insurance program to enable a student who has obtained a prior loan made or insured under such program to continue his educational program, such period shall end at the close of June 30, 1975". 79 Stat. 1240; *Ante,* p. 634. 20 USC 1078.

(b)(1)(A) The portion of the first sentence of section 428(a)(1) which follows subparagraph (C) is amended by striking out ", over the period of the loan,".

(B) The first sentence of section 428(a)(2) of such Act is amended by striking out ", and 3 per centum per annum of the principal amount of the loan (excluding interest which has been added to principal) thereafter".

(2) The amendments made by this subsection shall apply to loans made on or after the sixtieth day after the date of enactment of this Act, except that such amendments shall not apply so as to require violation of any commitment for insurance made to an eligible lender, or of any line of credit granted to a student, prior to such sixtieth day. An application for a certificate of insurance or of comprehensive insurance coverage pursuant to section 429 of such Act shall be issued or shall be effective on or after such sixtieth day with respect to loans made prior to such sixtieth day without regard to such amendments. Effective date. 20 USC 1079.

EXTENSION OF FEDERAL LOAN INSURANCE PROGRAM AND OF AUTHORITY TO GUARANTEE OUTSTANDING NON-FEDERALLY INSURED LOANS

20 USC 1074.

SEC. 112. (a) Subsection (a) of section 424 of the Higher Education Act of 1965 is amended (1) in the first sentence by striking out "period thereafter ending October 31, 1968" and inserting in lieu thereof "fiscal year ending June 30, 1968, and each of the three succeeding fiscal years"; and (2) in the second sentence by striking out "October 31, 1968" and inserting in lieu thereof "June 30, 1975".

Ante, p. 636.

(b) Section 428(c)(5) of such Act is amended by striking out "October 31, 1968" and inserting in lieu thereof "September 1, 1969".

REPAYMENT BY COMMISSIONER OF LOANS OF DECEASED OR DISABLED BORROWERS

20 USC 1071–1086.

SEC. 113. (a) Part B of title IV of such Act is amended by inserting at the end thereof the following new section:

"REPAYMENT BY COMMISSIONER OF LOANS OF DECEASED OR DISABLED BORROWERS

20 USC 1078.

"SEC. 437. If a student borrower who has received a loan with respect to which a portion of the interest (1) is payable by the Commissioner under section 428(a), or (2) would be payable but for the adjusted family income of the borrower, dies or becomes permanently and totally disabled (as determined in accordance with regulations of the Commissioner), then the Commissioner shall discharge the borrower's liability on the loan by repaying the amount owed on the loan."

82 Stat. 1021.
79 Stat. 1236.
20 USC 1071.
Ante, p. 1020.
20 USC 1077.

(b)(1) Section 421(b)(2) of the Higher Education Act of 1965 is amended by inserting after "on student loans" the following: "and for payments under section 437."

(2) Section 427(a)(2)(E) of such Act is amended by inserting after the comma at the end thereof the following: "and that the lender will enter into such agreements with the Commissioner as may be necessary for the purpose of section 437,".

20 USC 1078.

(3) Section 428(b)(2)(B) of such Act is amended by inserting after "of this part" the following: ", including such provisions as may be necessary for the purpose of section 437,".

Ante, p. 636.

(4) Section 428(c) of such Act is amended by striking out in paragraph (1) ", death, or permanent and total disability", by striking the last sentence of paragraph (3), and by amending paragraph (4) to read as follows:

"(4) For purposes of this subsection, the terms 'insurance beneficiary' and 'default' shall have the meanings assigned to them by section 430(e)."

20 USC 1080.

(5) Section 430 of such Act is amended—

(A) by striking out in the section heading, "DEATH, OR DISABILITY";

(B) by striking out in the first sentence of subsection (a) "or upon the death of the student borrower or a finding by the insurance beneficiary that the borrower has become totally and permanently disabled (as determined in accordance with regulations established by the Commissioner) before the loan has been repaid in full,"; and

(C) by striking out in subsection (c) all that follows "payment on that insurance" and inserting in lieu thereof a period.

Effective date.

(c) The amendments made by this section shall apply only with respect to loans made on or after the sixtieth day following the date of enactment of this Act.

FEDERAL ADVANCES TO RESERVE FUNDS OF NON-FEDERAL STUDENT LOAN INSURANCE PROGRAMS

SEC. 114. (a) (1) Section 421(b) of the Higher Education Act of 1965 is amended by striking out "and" at the end of paragraph (2); by striking out the period at the end of the first sentence of that subsection and inserting in lieu thereof ", and"; and by adding thereafter the following new paragraph:

20 USC 1072.

"(4) there is authorized to be appropriated the sum of $12,500,000 for making advances after June 30, 1068, pursuant to section 422 for the reserve funds of State and nonprofit private student loan insurance programs."

(2) The second sentence of section 421(b) of such Act is amended by striking out "under clauses (1) and (2)" and inserting in lieu thereof "under clauses (1), (2), and (4)".

(b) Section 422(a) of such Act is amended—

(1) by striking out "clause (3)" in the first sentence of paragraph (1) and inserting in lieu thereof "clauses (3) and (4)", and by striking out "of the fiscal years ending June 30, 1966, June 30, 1967, or June 30, 1968," and inserting in lieu thereof "fiscal year" in the second sentence of such paragraph; and

(2) by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following new paragraph:

"Unencumbered non-Federal portion."
82 Stat. 1022.

"(2) No advance shall be made after June 30, 1968, unless matched by an equal amount from non-Federal sources. Such equal amount may include the unencumbered non-Federal portion of a reserve fund. As used in the preceding sentence, the term 'unencumbered non-Federal portion' means the amount (determined as of the time immediately preceding the making of the advance) of the reserve fund less the greater of (A) the sum of (i) advances made under this section prior to July 1, 1968, (ii) an amount equal to twice the amount of advances made under this section after June 30, 1968, and before the advance for purposes of which the determination is made, and (iii) the proceeds of earnings on advances made under this section, or (B) any amount which is required to be maintained in such fund pursuant to State law or regulation, or by agreement with lenders, as a reserve against the insurance of outstanding loans."

79 Stat. 1237.
20 USC 1072.

(c) Section 422(b) of such Act is amended by inserting "(1)" after "(b)", by inserting "prior to July 1, 1968" before "pursuant to subsection (a)" where it appears in the first and third sentences, by deleting the last sentence of such subsection, and by adding at the end of such subsection the following new paragraphs:

"(2) The total of the advances from the sums appropriated pursuant to clause (4) of section 421(b) (A) to nonprofit private institutions and organizations for the benefit of students in any State and (B) to such State may not exceed an amount which bears the same ratio to such sums as the population of such State aged eighteen to twenty-two, inclusive, bears to the population of all the States aged eighteen to twenty-two, inclusive, but such advances may otherwise be in such amounts as the Commissioner determines will best achieve the purposes for which they are made. The amount available, however, for advances to any State shall not be less than $25,000, and any additional funds needed to meet this requirement shall be derived by proportionately reducing (but not below $25,000) the amount available for advances to each of the remaining States.

Ante, p. 1021.

"(3) For the purposes of this subsection, the population aged eighteen to twenty-two, inclusive, of each State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him."

AMENDMENTS RELATING TO ADMINISTRATIVE COST ALLOWANCE AND INTEREST RATE PROVISIONS

SEC. 115. (a) (1) Section 428(a) (2) (B) of the Higher Education Act of 1965 is amended to read as follows:

Ante, p. 635.
20 USC 1078.

"(B) If (i) a State student loan insurance program is covered by an agreement under subsection (b), (ii) a statute of such State limits the interest rate on loans insured by such program to a rate which is less than 7 per centum per annum on the unpaid principal balance, and (iii) the Commissioner determines that section 428(d) does not make such statutory limitation inapplicable and that such statutory limitation threatens to impede the carrying out of the purposes of this part, then he may pay an administrative cost allowance to the holder of each loan which is insured under such program and which is made during the period beginning on the sixtieth day after the date of enactment of the Higher Education Amendments of 1968 and ending 120 days after the adjournment of such State's first regular legislative session which adjourns after January 1, 1969. Such administrative cost allowance shall be paid over the term of the loan in an amount per annum (determined by the Commissioner) which shall not exceed 1 per centum of the unpaid principal balance of the loan."

Infra.

(2) Section 428(a) (2) (A) of such Act is amended by striking out the second sentence and by inserting in the last sentence after "portion of the interest" the following: "and administrative cost allowance".

(3) Section 428 of such Act is amended by adding at the end thereof the following new subsection:

20 USC 1077.
82 Stat. 1023.

"(d) No provision of any law of the United States (other than sections 427(a)(2)(D) and 427(b) of this Act) or of any State (other than a statute applicable principally to such State's student loan insurance program) which limits the rate or amount of interest payable on loans shall apply to a loan—

"(1) which bears interest (exclusive of any premium for insurance) on the unpaid principal balance at a rate not in excess of 7 per centum per annum, and

"(2) which is insured (A) by the United States under this part, or (B) by a State or nonprofit private institution or organization under a program covered by an agreement made pursuant to subsection (b) of this section."

(4) The amendments made by this subsection shall not apply with respect to loans made prior to the sixtieth day after the date of enactment of this Act.

Ante, pp. 635, 1022.
20 USC 1078.

(b) Section 428(a)(2)(B) of such Act (as in effect prior to the amendment made by subsection(a)) is amended by striking out "October 31, 1968" and inserting in lieu thereof "the fifty-ninth day after the date of enactment of the Higher Education Amendments of 1968".

Ante, p. 635.

(c) The amendments made by section 2(a) of Public Law 90–460, approved August 3, 1968, shall not be effective with respect to (1) any loan made or contracted for prior to the date of enactment of such Public Law, or (2) any loan made, after the date of enactment of this Act, in whole or in part to consolidate or convert a loan made or contracted for prior to the date of enactment of such Public Law.

MERGER OF NATIONAL VOCATIONAL STUDENT LOAN INSURANCE ACT OF 1965 WITH STUDENT LOAN INSURANCE PROGRAM OF HIGHER EDUCATION ACT OF 1965

79 Stat. 1247.
20 USC 1085.

SEC. 116. (a) Section 435 of the Higher Education Act of 1965 is amended—

(1) by redesignating subsections (a), (b), (c), (d), (e), and (f) as (b), (d), (e), (f), (g), and (h), respectively;

(2) by inserting before subsection (b) as so redesignated the following new subsection:

"Eligible institution."

"(a) The term 'eligible institution' means (1) an institution of higher education, (2) a vocational school, or (3) with respect to students who are nationals of the United States, an institution outside the States which is comparable to an institution of higher education or to a vocational school and which has been approved by the Commissioner for purposes of this part.";

(3) by striking out in subsection (b) (as so redesignated) "eligible institution" and inserting in lieu thereof "institution of higher education", by striking out in the second sentence of such subsection "any institution outside the States which is comparable to an institution described in the preceding sentence and which has been approved by the Commissioner for the purposes of this title, and also includes"; and

(4) by inserting after subsection (b) (as so redesignated) the text of subsection (a) of section 17 of the National Vocational Student Loan Insurance Act of 1965 amended as follows:

79 Stat. 1048.
20 USC 996.

(A) Strike out "(a)" and insert in lieu thereof "(c)",

(B) Strike out "eligible institution" and insert in lieu thereof "vocational school", and

(C) Strike out "Act" in clause (4) (C) and insert in lieu thereof "part".

79 Stat. 1238.
20 USC 1075.
20 USC 1077.

(b) (1) Section 425(a) of such Act is amended by striking out "(1)" after "SEC. 425. (a)" and by striking out paragraph (2).

82 Stat. 1024.

(2) Section 427(a) (2) (C) (i) of such Act is amended by striking out "institutions of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner" and inserting in lieu thereof "eligible institution".

Repeal.
20 USC 1078.

(3) Section 428(a) (6) of such Act is repealed.

79 Stat. 1247.
20 USC 1084.

(4) Section 434 of such Act is amended by striking out "10 per centum" and inserting in lieu thereof "15 per centum".

80 Stat. 1244.
20 USC 1086.

(5) Section 436(a) of such Act is amended by striking out "title and the National Vocational Student Loan Insuranre Act of 1965" and inserting in lieu thereof "part".

Repeal.
79 Stat. 1037.
20 USC 981 note.

(c) (1) The National Vocational Student Loan Insurance Act of 1965 is repealed.

20 USC 992.

79 Stat. 1245.
20 USC 1081.

(2) All assets and liabilities of the vocational student loan insurance fund established by section 13 of the National Vocational Student Loan Insurance Act of 1965, matured or contingent, shall be transferred to, and become assets and liabilities of, the student loan insurance fund established by section 431 of the Higher Education Act of 1965. Payments in connection with defaults of loans made on or after the sixtieth day after the date of enactment of this Act and insured by the Commissioner (under the authority of subsection (e) (3) or (e) (4) of this section) under the National Vocational Student Loan Insurance Act of 1965 shall be paid out of the fund established by such section 431.

20 USC 1083.

(d) Section 433 of the Higher Education Act of 1965 is amended to read as follows:

"DIRECT LOANS

20 USC 1077.

"SEC. 433. (a) The Commissioner may make a direct loan to any student who would be eligible for an insured loan for study at a vocational school under this part if (1) in the particular area in which the student resides loans which are insurable under this Act are not available at the rate of interest prescribed by the Secretary pursuant to section 427(a) (2) (D) for such area, or (2) the particular student has been unable to obtain an insured loan at a rate of interest which does not exceed such rate prescribed by the Secretary.

"(b) Loans made under this section shall bear interest at the rate prescribed by the Secretary under section 427(a)(2)(D) for the area where the student resides, and shall be made on such other terms and conditions as the Commissioner shall prescribe, which shall conform as nearly as practicable to the terms and conditions of loans insured under this Act.

"(c) There is authorized to be appropriated the sum of $1,000,000 for the fiscal year ending June 30, 1969 and for each of the two succeeding fiscal years to carry out this section."

Appropriation authorization.

(e)(1) Except as provided in paragraphs (2), (3), and (4):

(A) This section (and any amendment or repeal made thereby) shall apply to loans made on or after the sixtieth day after the date of enactment of this Act; and the terminal date applicable under the first sentence of section 5(a), under section 9(a)(2)(B), and under section 9(a)(4) of the National Vocational Student Loan Insurance Act shall, instead of October 31, 1968, be deemed to be (i) the day immediately preceding such sixtieth day, or (ii) with respect to any particular lender or State or nonprofit private agency to which paragraph (3) relates, the last day of the period required for modification or termination of, or refusal to extend, the Commissioner's agreements with such agency.

Ante, pp. 634, 635.
20 USC 984, 988.

(B) In computing the maximum amounts which may be borrowed by a student who obtains an insured loan on or after such sixtieth day, and the minimum amounts of repayment allowable with respect to sums borrowed by such a student, there shall be included all loans, whenever made, (i) insured by the Commissioner, or a State, institution, or organization with which the Commissioner has an agreement under section 428(b) of part B of title IV of the Higher Education Act of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965, or (ii) made by a State under section 428(a)(2)(B) of such part or section 9(a)(2)(B) of such Act, or by the Commissioner under section 433 of such part.

82 Stat. 1025.
20 USC 1078.
20 USC 988.
***Ante*, p. 635.**
20 USC 1083.

(2) Clause (i) (attendance at eligible institution) and clause (iv) (VISTA service) of section 427(a)(2)(C) of the Higher Education Act of 1965, shall apply to loans made by the Commissioner and, with the consent of the lender, loans insured by the Commissioner to students for study at vocational schools, which are outstanding on the sixtieth day after the enactment of this Act, but only with respect to periods of service or attendance occurring on or after such sixtieth day.

20 USC 1077.

(3) This section (and any amendment or repeal made thereby) shall not apply so as to require violation of any commitment for insurance made to an eligible lender, or of any line of credit granted to a student, prior to the sixtieth day after enactment of this Act, under the Higher Education Act of 1965 or the National Vocational Student Loan Insurance Act of 1965, or, except with the consent of the State or nonprofit private agency concerned, impair the obligation of any agreement made pursuant to section 428(b) of the Higher Education Act of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965. The Commissioner of Education shall

20 USC 1001 note.
20 USC 981 note.

undertake to obtain necessary modifications of agreements entered into by him pursuant to section 428(b) of the Higher Education Act of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965 and in force upon the date of enactment of this Act so as to conform the provisions of such agreements to the requirements of such section 428(b). If, however, such modifications cannot be obtained because a party to such an agreement is subject to a statute of a State that prevents such party from complying with the terms of such modification, the Commissioner shall not, before 120 days after the adjournment of such State's first regular legislative session which adjourns after January 1, 1969, exercise his authority to terminate, or to refuse to extend, such agreement.

20 USC 990.

(4) A certificate of insurance or of comprehensive insurance coverage pursuant to section 11 of the National Vocational Student Loan Insurance Act of 1965 may be issued or made effective on or after the sixtieth day after the date of enactment of this Act with respect to loans made prior to such sixtieth day without regard to any amendment or repeal made by this section.

AUTHORIZING DEFERMENT OF REPAYMENT OF NON-FEDERALLY INSURED LOANS DURING MILITARY, VISTA, OR PEACE CORPS SERVICE, OR ATTENDANCE AT ELIGIBLE INSTITUTION; FEDERAL PAYMENT OF INTEREST ACCRUING DURING SUCH ATTENDANCE OR SERVICE

SEC. 117. (a)(1) Section 428 of the Higher Education Act of 1965 (as amended by this Act) is amended by adding at the end of such section the following new subsection:

82 Stat. 1026.
75 Stat. 612.
22 USC 2501 note.
81 Stat. 722.
42 USC 2991–2994d.

"(e) The Commissioner shall encourage the inclusion, in any State student loan program or any State or nonprofit private student loan insurance program meeting the requirements of subsection (a)(1)(B) or (a)(1)(C), of provisions authorizing or requiring that in the case of student loans covered by such program periodic installments of principal need not be paid, but interest shall accrue and be paid, during any period (1) during which the borrower is pursuing a full-time course of study at an eligible institution, (2) not in excess of three years during which the borrower is a member of the Armed Forces of the United States, (3) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, or (4) not in excess of three years during which the borrower is in service as a full-time volunteer under title VIII of the Economic Opportunity Act of 1964. In the case of any such State or nonprofit private program containing such a provision any such period shall be excluded in determining the period specified in subsection (b)(1)(C)(ii), or the maximum period for repayment specified in subsection (b)(1)(D)."

20 USC 1078.

(2)(A) Section 428(b)(1)(C)(ii) of the Higher Education Act of 1965 is amended by inserting after "(ii)" the following: "except as provided in subsection (e) of this section,".

(B) Section 428(b)(1)(D) of such Act is amended by inserting after "subject to subparagraph (C)" the following: "of this paragraph and except as provided by subsection (e) of this section".

(b) The first sentence of section 428(a)(2) of such Act is amended by inserting before "; but such portion" the following: ", or which accrues during a period in which principal need not be paid (whether or not such principal is in fact paid) by reason of a provision described in subsection (e) of this section or in section 427(a)(2)(C)".

20 USC 1077.

(c) Section 427(a)(2)(C)(iv) of such Act is amended by inserting "full-time" before "volunteer".

(d) Deferment of repayment of principal, as provided in the amendments made by subsection (a) of this section, may be authorized (but not required) with respect to loans meeting the requirements of subparagraph (B) or (C) of section 428(a)(1) of the Higher Education Act of 1965 which are outstanding on the sixtieth day after the date of enactment of this Act, but only with respect to periods of attendance or service occurring on or after such sixtieth day. The amendments made by subsection (b) shall become effective on the sixtieth day after the date of enactment of this Act.

Effective date.

PARTICIPATION BY PENSION FUNDS AND FEDERAL SAVINGS AND LOAN ASSOCIATIONS

SEC. 118. (a) Section 435(g) of the Higher Education Act of 1965 (as so redesignated by section 116 of this Act) is amended by inserting before the period at the end thereof the following: ", or a pension fund approved by the Commissioner for this purpose".

20 USC 1085.

(b) The third paragraph of section 5(c) of the Home Owners' Loan Act of 1933 is amended by striking out "expenses of college or university education" and inserting in lieu thereof "expenses of college, university, or vocational education".

12 USC 1464.

ACCESS TO FEDERAL LOAN INSURANCE PROGRAM

SEC. 119. (a) Section 423 of the Higher Education Act of 1965 is amended by striking out "The" after "SEC. 423." and inserting in lieu thereof "(a) Except as provided in subsection (b), the"; and by adding at the end thereof the following new subsection:

20 USC 1073.

"(b) The Commissioner may issue certificates of insurance under section 429 to a lender in a State—

"(1) for insurance of a loan made to a student borrower who does not, by reason of his residence, have access to loan insurance under the loan insurance program of such State (or under any private nonprofit loan insurance program which has received an advance under section 422 for the benefit of students in such State), or

20 USC 1079.
20 USC 1072.

"(2) for insurance of all of the loans made to student borrower by a lender who satisfies the Commissioner that, by reason of the residence of such borrowers, he will not

82 Stat. 1027.

have access to any single State or nonprofit private loan insurance program which will insure substantially all of the loans he intends to make to such student borrowers."

20 USC 1071.

(b) Section 421(a)(2) is amended by inserting "or lenders" before "who do not have reasonable access".

COORDINATION BETWEEN NON-FEDERAL AND FEDERAL PROGRAMS WITH RESPECT TO MAXIMUM AMOUNTS OF INDIVIDUAL LOANS INSURED, ISSUANCE OF INSTALLMENT OBLIGATIONS, AND MINIMUM AMOUNTS OF REPAYMENT INSTALLMENTS ON SUCH LOANS

20 USC 1078.
Limitation.

SEC. 120. (a)(1) Section 428(b)(1)(A) of the Higher Education Act of 1965 is amended by inserting the following before the semicolon at the end of such subparagraph: ", which limit shall not be deemed exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any such year in excess of such annual limit; and provides that the aggregate insured unpaid principal amount of all such insured loans made to any student shall not at any time exceed $7,500".

20 USC 1075.

(2) Section 425(a) of the Higher Education Act of 1965 is amended (A) by striking out "in the case of a graduate or professional student (as defined in regulations of the Commissioner), or $1,000 in the case of any other student" in the first sentence, and (B) by striking out "in the case of any graduate or professional student (as defined in regulations of the Commissioner, and including any such insured loans made to such person before he became a graduate or professional student), or $5,000 in the case of any other student" in the second sentence.

(b) Section 428(b)(1)(D) of such Act is amended (1) by striking out "subparagraph (C)" and inserting in lieu thereof "subparagraphs (C) and (K)", and (2) by striking out ", where the total of the insured loans to any student which are held by any one person exceeds $2,000, repayment of such", and inserting in lieu thereof "repayment of".

(c)(1) Section 428(b)(1) of the Higher Education Act of 1965 is amended (A) by striking out "and" at the end of subparagraph (I), (B) by striking out the period at the end of subparagraph (J) and inserting "; and" in lieu thereof, and (C) by adding after subparagraph (J) the following:

"(K) provides that the total of the payments by a borrower during any year of any repayment period with respect to the aggregate amount of all loans to that borrower which are (i) insured under this part, or (ii) made by a State or the Commissioner under section 428(a)(1)(B) or 433, respectively, shall not be less than $360 or the balance of all such loans (together with interest thereon), whichever amount is less."

20 USC 1083.

20 USC 1077.

(2) Section 427(c) of such Act is amended by striking out "by the Commissioner", and by inserting the following after "this part": ", or which are made by a State or the Commissioner under section 428(a)(1)(B) or 433, respectively,".

(3) The caption of section 427 of such Act is amended by inserting "FEDERALLY INSURED" before "STUDENT LOANS".

(d)(1) Subject to paragraph (2) of this subsection, (A) the amendments made by this section shall apply to loans made on or after the sixtieth day after the date of enactment of this Act, and (B) in computing the maximum amounts which may be borrowed by a student who obtains an insured loan on or after such sixtieth day, and the minimum amounts of repayment allowable with respect to sums borrowed by such a student, there shall be included all loans, whenever made, (i) insured by the Commissioner, or a State, institution, or organization with which the Commissioner has an agreement under section 428(b) of part B of title IV of the Higher Education Act of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965, or (ii) made by a State under section 428(a)(2)(B) of such part or section 9(a)(2)(B) of such Act, or by the Commissioner under section 433 of such part.

82 Stat. 1028.
20 USC 988.
20 USC 1078.
20 USC 1083.

(2) This section (and the amendments made thereby) shall not apply so as to require violation of any commitment for insurance made to an eligible lender, or of any line of credit granted to a student, prior to such sixtieth day or, except with the consent of the State or nonprofit private agency concerned, impair the obligation of any agreement made pursuant to section 428(b) of the Higher Education Act of 1965. The Commissioner of Education shall undertake to obtain necessary modifications of agreements entered into by him pursuant to section 428(b)(1) of the Higher Education Act of 1965 and in force upon the date of enactment of this Act so as to conform the provisions of such agreements to the requirements of such section 428(b)(1) as amended by this section. If, however, such modifications cannot be obtained because a party to such an agreement is subject to a statute of a State that prevents such party from complying with the terms of such modification, the Commissioner shall not, before 120 days after the adjournment of such State's first regular legislative session which adjourns after January 1, 1969, exercise his authority to terminate, or to refuse to extend, such agreement.

Part C—Amendments to College Work-Study Program

TRANSFER OF WORK-STUDY PROVISIONS TO HIGHER EDUCATION ACT OF 1965

Sec. 131. (a) Title IV of the Higher Education Act of 1965 is amended by striking out part C thereof. Part C of title I of the Economic Opportunity Act of 1964 is transferred to the Higher Education Act of 1965 and inserted as part C of title IV of such Act.

(b) Part C of title IV of the Higher Education Act of 1965 (as amended by subsection (a) of this section) is further amended—

42 USC 2751–2757.

42 USC 2751–2755.

(1) by redesignating sections 141 through 145 (and references thereto) as sections 441 through 445, respectively; and

(2) by designating the section of such part which follows section 445 (as so redesignated) as section 446; and

42 USC 2752.

(3) by amending section 442(a) to read as follows:

"Sec. 442. (a) From the sums appropriated to carry out this part for a fiscal year, the Commissioner shall allot not to exceed 2 per centum among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of such sums shall be allotted among the States as provided in subsection (b)."

(c) Any reference to any provision of part C of title I of the Economic Opportunity Act of 1964 in any law of the United States shall be deemed to be a reference to the corresponding provision of part C of title IV of the Higher Education Act of 1965 as amended by this section.

EXTENSION OF WORK-STUDY PROGRAM

Sec. 132. Section 441 of the Higher Education Act of 1965 (as amended by section 131 of this Act) is amended by adding "; APPROPRIATIONS AUTHORIZED" at the end of the section heading, by inserting "(a)" after "Sec. 441.", and by adding at the end of such section the following new subsection:

Appropriation authorization.

"(b) There are authorized to be appropriated $225,000,000 for the fiscal year ending June 30, 1969, $255,000,000 for the fiscal year ending June 30, 1970, and $285,000,000 for the fiscal year ending June 30, 1971, to carry out this part."

ELIGIBILITY OF AREA VOCATIONAL SCHOOLS

82 Stat. 1029.

Ante, p. 1028.

Sec. 133. (a) Part C of the Higher Education Act of 1965 (as amended by section 131 of this Act) is amended by striking out the term "institution of higher education" and "institutions of higher education" wherever they appear (except in section 442(b)(1) and inserting in lieu thereof "eligible institution" and "eligible institutions", respectively.

(b) Section 443(b) of such Act (as added by section 131 of this Act) is amended to read as follows:

"Eligible institution."

20 USC 1085.

20 USC 35g.

"(b) For the purposes of this part the term 'eligible institution' means an institution of higher education (as defined in section 435(b) of this Act), or an area vocational school (as defined in section 8(2) of the Vocational Education Act of 1963)."

(c) Section 444 of such Act (as added by section 131 of this Act) is amended by inserting "(a)" after "Sec. 444."; By redesignating paragraphs (a) through (h) as paragraphs (1) through (8), respectively; by redesignating subparagraphs (1), (2,), and (3) of paragraphs (1) and (3) (as so redesignated) as subparagraphs (A), (B), and (C), respectively; and by adding at the end of such section the following new subsection:

"(b) An agreement entered into pursuant to section 443 with an area vocational school shall contain, in addition to the provisions described in subsection (a) of this section, a provision that a student in such a school shall be eligible to participate in a program under this part only if he (1) has a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate, and (2) is pursuing a program of education or training which requires at least six months to complete and is designed to prepare the student for gainful employment in a recognized occupation."

REVISION OF MATCHING PROVISIONS

SEC. 134. Section 444(a)(6) of the Higher Education Act of 1965 (as amended by this part) is amended to read as follows:

> "(6) provide that the Federal share of the compensation of students employed in the work-study program in accordance with the agreement will not exceed 80 per centum of such compensation; except that the Federal share may exceed 80 per centum of such compensation if the Commissioner determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that a Federal share in excess of 80 per centum is required in furtherance of the purposes of this part;"

SET-ASIDE FOR RESIDENTS OF AMERICAN SAMOA OR THE TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 135. (a) The first sentence of section 442(a) of the Higher Education Act of 1965 (as amended by this part) is amended by inserting "(1)" before "allot not to exceed 2 per centum", and by inserting before the period at the end thereof the following: ", and (2) reserve the amount provided by subsection (e)".

(b) Such section 442 is further amended by adding at the end thereof the following new subsection:

"(e) From the appropriation for this part for each fiscal year the Commissioner shall reserve an amount to provide work-study assistance to students who reside in, but who attend eligible institutions outside of, American Samoa or the Trust Territory of the Pacific Islands. The amount so reserved shall be allotted to eligible institutions and shall be available only for the purpose of providing work-study assistance to such students."

82 Stat. 1030.

ELIMINATION OF AVERAGE HOURS OF EMPLOYMENT LIMITATION DURING NON-REGULAR ENROLLMENT PERIODS

SEC. 136. Section 444 of the Higher Education Act of 1965 (amended by this part) is amended by adding at the end thereof the following subsection:

Ante, p. 1028.

"(c) For purposes of paragraph (4) of subsection (a) of this section, in computing average hours of employment of a student over a semester or other term, there shall be excluded any period during which the student is on vacation and any period of non-regular enrollment. Employment under a work-study program during any such period of non-regular enrollment during which classes in which the student is enrolled are in session shall be only to the extend and in accordance with criteria established by or pursuant to regulations of the Commissioner."

REVISION OF MAINTENANCE OF EFFORT REQUIREMENT

SEC. 137. Effective for fiscal years ending on or after June 30, 1970, section 444(a)(5) of the Higher Education Act of 1965 (as amended by this part) is amended to read as follows:

Post, p. 1033.

"(5) provide that the institution will meet the requirements of section 464 of this Act (relating to maintenance of effort);"

ADMINISTRATIVE EXPENSES

SEC. 138. Effective for fiscal years ending on or after June 30, 1970, section 444(a)(2) of the Higher Education Act of 1965 (as amended by this part) is amended by striking out all that follows "administrative expenses" and inserting in lieu thereof "in accordance with section 463 of this Act;".

ELIGIBILITY OF PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION

SEC. 139. Effective for fiscal years ending on or after June 30, 1970—

(1) Section 443(b) of the Higher Education Act of 1965 (as amended by this part) is amended by striking out "or" before "an area vocational school", and by inserting before the period at the end thereof the following: ", or a proprietary institution of higher education (as defined in section 461(b) of this Act)".

Post, p. 1032.

(2) Section 444(a)(1) of such Act (as amended by this part) is amended by inserting after "work for the institution itself" the following: "(except in the case of a proprietary institution of higher education),".

PART D—COOPERATIVE EDUCATION PROGRAMS

GRANTS TO INSTITUTIONS OF HIGHER EDUCATION FOR PROGRAMS OF COOPERATIVE EDUCATION; GRANTS AND CONTRACTS FOR TRAINING AND RESEARCH IN COOPERATIVE EDUCATION

79 Stat. 1251–1254.
20 USC 403, 424, 425, 441, 443.

SEC. 141. Title IV of the Higher Education Act of 1965 is amended by redesignating part D as part F, by redesignating sections 461 through 467 as sections 491 through 497, respectively, and by inserting after part C the following new part:

82 Stat. 1031.

"PART D—COOPERATIVE EDUCATION PROGRAMS

"APPROPRIATIONS AUTHORIZED

"SEC. 451. (a) There are authorized to be appropriated $340,000 for the fiscal year ending June 30, 1969, $8,000,000 for the fiscal year ending June 30, 1970, and $10,000,000 for the fiscal year ending June 30, 1971, to enable the Commissioner to make grants pursuant to section 452 to institutions of higher education for the planning, establishment, expansion, or carrying out by such institutions of programs of cooperative education that alternate periods of full-time academic study with periods of full-time public or private employment that will not only afford students the opportunity to earn through employment funds required toward continuing and completing their education but will, so far as practicable, give them work experience related to their academic or occupational objective. Such amount for the fiscal year ending June 30, 1969, shall also be available for planning and related activities for the purpose of this title.

"(b) There are further authorized to be appropriated $750,000 for the fiscal year ending June 30, 1969, and for each of the two suceeding fiscal years, to enable the Commissioner to make training or research grants or contracts pursuant to section 453.

"(c) Appropriations under this part shall not be available for the payment of compensation of students for employment by employers under arrangements pursuant to this part.

"GRANTS FOR PROGRAMS OF COOPERATIVE EDUCATION

"SEC. 452. (a) From the sums appropriated pursuant to subsection (a) of section 451, and for the purposes set forth therein, the Commissioner is authorized to make grants to institutions of higher education that have applied therefor in accordance with subsection (b) of this section, in amounts not in excess of $75,000 to any one such institution for any fiscal year.

"(b) Each application for a grant authorized by subsection (a) of this section shall be filed with the Commissioner at such time or times as he may prescribe and shall—

"(1) set forth programs or activities for which a grant is authorized under this section;

"(2) provide that the applicant will expend during such fiscal year for the purpose of such program or activity not less than was expended for such purpose during the previous fiscal year;

"(3) provide for the making of such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this part, and for the keeping of such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

Recordkeeping.

"(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the applicant under this part; and

"(5) include such other information as the Commissioner may determine necessary to carry out the purposes of this part.

"(c) No institution of higher education may receive grants under this section for more than three fiscal years.

"(d) In the development of criteria for approval of applications under this section, the Commissioner shall consult with the Advisory Council on Financial Aid to Students.

82 Stat. 1032.

"GRANTS AND CONTRACTS FOR TRAINING AND RESEARCH

"SEC. 453. From the sums appropriated pursuant to subsection (b) of section 451, the Commissioner is authorized, for the training of persons in the planning, establishments, administration, or coordination of programs of cooperative education, or for research into methods of improving, develping, or promoting the use of cooperative education programs in institutions of higher education, to—

"(1) make grants to or contracts with institutions of higher education, or combinations of such institutions, and

"(2) make grants to other public or private nonprofit agencies or organizations, or contracts with public or private agencies or organizations, when such grants or contracts will make an especially significant contribution to attaining the objectives of this section."

PART E—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

AMENDMENTS EFFECTIVE UPON ENACTMENT

79 Stat. 1232.
20 USC 1061.
Ante, p. 1030.

SEC. 151. Title IV of the Higher Education Act of 1965 is amended by inserting after part D the following new part:

"PART E—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE PROGRAMS

"SUBPART 1—GENERAL PROVISIONS

"DEFINITIONS

"SEC. 461. (a) For purposes of this title, the term 'State' includes the Trust Territory of the Pacific Islands.

Ante, p. 1028.
20 USC 421–429.

"(b) For purposes of part C of this title and title II of the National Defense Education Act of 1958, the term 'proprietary institution of higher education' means a school (1) which provides not less than a six-month program of training to prepare students for gainful employment in a recognized occupation, (2) which meets the requirements of section 801(a)(1) and

801(a)(2) of this Act, (3) which does not meet the requirement of section 801(a)(4) of this Act, (4) which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose, and (5) which has been in existence for at least two years. For purposes of this paragraph, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

20 USC 1141.

"ELIGIBILITY OF RESIDENTS OF TRUST TERRITORY OF PACIFIC ISLANDS

"SEC. 462. Permanent residents of the Trust Territory of the Pacific Islands shall be eligible for assistance under title II of the National Defense Education Act of 1958 and under this title to the same extent that citizens of the United States are eligible for such assistance.

"SUBPART 2—ADVISORY COUNCIL ON FINANCIAL AID TO STUDENTS

"ESTABLISHMENT OF COUNCIL

"SEC. 469. (a) There is established in the Office of Education an Advisory Council on Financial Aid to Students (hereafter in this section referred to as the 'Council'), consisting of the Commissioner, who shall be Chairman, and of members appointed by the Commissioner without regard to the civil service or classification laws. Such appointed members shall include (1) leading authorities in the field of education, (2) persons representing State and private nonprofit loan insurance programs, financial and credit institutions, and institutions of higher education and other eligible institutions as those terms may be variously defined in this Act or in the National Defense Education Act of 1958, and (3) at least one undergraduate student in an institution of higher education or other eligible institution.

82 Stat. 1033.

20 USC 401 note.

"(b) The Council shall advise the Commissioner on matters of general policy arising in the administration by the Commissioner of programs relating to financial assistance to students and on evaluation of the effectiveness of these programs.

Compensation, travel expenses.

"(c) Members of the Council who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Council or otherwise engaged in the business of the Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Council away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States (Code, for persons employed intermittently in the Government Service.

33 F.R. 8641.

"(d) The Commissioner is authorized to furnish to the Council such technical assistance, and to make available to it such secretarial, clerical, and other assistance and such pertiment data available to him, as the Council may require to carry out its functions."

AMENDMENTS EFFECTIVE FOR FISCAL YEAR 1970 AND THEREAFTER

Ante, p. 1032.

SEC. 152. Effective for fiscal years ending on or after June 30, 1970, part E of title IV of the Higher Education Act of 1965 (as added by section 151 of this Act) is amended by inserting after section 462 the following new sections:

"EXPENSES OF ADMINISTRATION

20 USC 1061.
Ante, p. 1028.

"SEC. 463. (a) An institution which has entered into an agreement with the Commissioner under part A or C of this title shall be entitled for each fiscal year for which it receives an allotment under either such part to a payment in lieu of reimbursement for its expenses during such fiscal year in administering programs assisted under such part. The payment for a fiscal year (1) shall be payable from each such allotment in accordance with regulations of the Commissioner, and (2) shall (except as provided in subsection (b)) be an amount equal to 3 per centum of (A) the institution's expenditures during the fiscal year from its allotment under part A plus (B) its expenditures during such fiscal year under part C for compensation of students.

Limitation.

"(b) The aggregate amount paid to an institution for a fiscal year under this section plus the amount withdrawn from its student loan fund under section 204(b) of the National Defense Education Act of 1958 may not exceed $125,000.

Post, p. 1034.

"MAINTENANCE OF EFFORT

"SEC. 464. An agreement between the Commissioner and an institution under part A or part C shall provide assurance that the institution will continue to spend in its own scholarship and student-aid program, from sources other than funds received under such parts, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement."

82 Stat. 1034.

PART F—AMENDMENTS TO NATIONAL DEFENSE STUDENT LOAN PROGRAM (TITLE II OF NATIONAL DEFENSE EDUCATION ACT OF 1958)

EXTENSION OF NATIONAL DEFENSE STUDENT LOAN PROGRAM

80 Stat. 1245.
20 USC 421.

SEC. 171. (a) Section 201 of the National Defense Education Act of 1958 is amended—

(1) by striking out "and " before "$225,000,000";

(2) by inserting after "June 30, 1968", the following: "$210,000,000 for the fiscal year ending June 30, 1969, $275,000,000 for the fiscal year ending June 30, 1970, and $300,000,000 for the fiscal year ending June 30, 1971,";

(3) by striking out "and such sums for the fiscal year ending June 30, 1969" and inserting in lieu thereof "and there are further authorized to be appropriated such sums for the fiscal year ending June 30, 1972"; and

(4) by striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1971".

(b) Subsection 202 of such Act is amended by striking out "1968" in subsections (a) and (b) and inserting in lieu thereof "1971". 20 USC 422.

(c) Section 206 of such Act is amended by striking out "1972" each time it appears in subsections (a), (b), and (c) of such section, and inserting in lieu thereof "1975". 20 USC 426.

ADMINISTRATIVE EXPENSES

SEC. 172. Effective for fiscal years ending on or after June 30, 1970—

(1) Section 204 of the National Defense Education Act of 1958 is amended by inserting "(a)" after "SEC. 204.", and by striking out in paragraph (3) "(C) routine expenses" and all that follows down through "whichever is the lesser" and inserting in lieu thereof "(C) administrative expenses as provided in subsection (b)". 20 USC 424.

(2) Section 204 of such Act is amended by adding at the end thereof the following new subsection:

"(b) An institution of higher education that has entered into an agreement with the Commissioner under this section shall be entitled for each fiscal year during which it makes any student loans from a student loan fund established under this title to a payment in lieu of reimbursement for its expenses during such fiscal year in administering its student loan program assisted under this title. Such payment (1) shall be payable from its student loan fund in accordance with regulations of the Commissioner, and (2) (except as provided in section 463(b) of the Higher Education Act of 1965) shall be an amount equal to 3 per centum of the principal amount of loans made from such fund during a fiscal year." *Ante*, p. 1033.

AMENDMENTS TO TEACHER CANCELLATION PROVISION

SEC. 173. (a)(1) Section 205(b)(3) of the National Defense Education Act of 1958 is amended by inserting after "50 per centum of any such loan" the following: "made prior to July 1, 1970". 20 USC 425.

(2) Clause (A) of such section is amended by inserting before "the Commissioner shall not make such determination" the following: "(unless all of the schools so determined are schools in which the enrollment of children described in clause (A), (B), or (C) of section 103(a)(2) of such Public Law (using a low-income factor of $3,000) exceeds 50 per centum of the total enrollment of the school)".

82 Stat. 1035.

(b) The amendments made by subsection (a)(2) shall apply with respect to service performed during academic years ending after the date of the enactment of this Act, whether the loan was made before or after such Act.

ELIGIBILITY OF PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION

Sec. 174. (a) Section 103(b) of the National Defense Education Act of 1958 is amended—

(1) by striking out "and also includes," in the second sentence and inserting in lieu thereof "; any proprietary institution of higher education (as defined in section 461(b) of the Higher Education Act of 1965) which includes in its agreement under section 204 of such title such terms and conditions as the Commissioner determines to be necessary to insure that the availability of assistance to students at the school under such title has not, and will not, increase the tuition, fees, or other charges to such students; and"; and

Ante, p. 1032.
20 USC 424.

(2) by inserting after "requirements of clause (5)" in the third sentence the following: "(but meets the requirements of clause (4))".

20 USC 423.

(b) Effective with respect to fiscal years ending on or after June 30, 1969, section 203 of such Act is amended by adding at the end thereof the following new sentence: "The aggregate amount of Federal capital contributions paid for any fiscal year under this section to proprietary institutions of higher education (as defined in section 461(b) of the Higher Education Act of 1965) may not exceed the amount by which the funds appropriated pursuant to section 201 for such fiscal year exceed $190,000,000."

80 Stat. 1245.
20 USC 421.

ELIMINATION OF REQUIREMENT OF SPECIAL CONSIDERATION FOR STUDENTS OF SUPERIOR ACADEMIC BACKGROUND

Sec. 175. Section 204 of the National Defense Education Act of 1958 is amended by inserting "and" at the end of paragraph (3), by striking out paragraph (4), and by redesigning paragraph (5) as paragraph (4).

WAIVING OATH OF ALLEGIANCE REQUIREMENT FOR RESIDENTS OF TRUST TERRITORY OF PACIFIC ISLANDS

Sec. 176. Section 1001(f)(1) of the National Defense Education Act of 1958 is amended by inserting after "any individual" the following: "(other than a permanent resident of the Trust Territory of the Pacific Islands)".

20 USC 581.

TITLE II—AMENDMENTS TO OTHER PROVISIONS OF HIGHER EDUCATION ACT OF 1965

Part A—Amendments to Community Service Program Provisions (Title I)

EXTENSION OF GRANT PROGRAM

20 USC 1001.

Sec. 201. (a) The first sentence of section 101 of the Higher Education Act of 1965 is amended (1) by striking out "and" after "1966," and (2) by inserting before the period at the end of such sentence the following: ", $10,000,000 for the fiscal year ending June 30, 1969, $50,000,000 for the fiscal year ending June 30, 1970, and $60,000,000 for the fiscal year ending June 30, 1971."

(b) Such section is amended by striking out the second sentence.

82 Stat. 1036.

MODIFICATION OF REQUIREMENT FOR COMPREHENSIVE, COORDINATED, AND STATEWIDE SYSTEM OF COMMUNITY SERVICE PROGRAMS

20 USC 1005.

Sec. 202. Section 105(a)(2) of the Higher Education Act of 1965 is amended by inserting before the semicolon at the end thereof the following: "(except that if a comprehensive, coordinated, and statewide system of community service programs cannot be effectively carried out by reason of insufficient funds, the plan may set forth one or more proposals for community service programs in lieu of a comprehensive, coordinated, and statewide system of such programs)".

MODIFICATION OF FEDERAL SHARE PROVISION

20 USC 1006.

Sec. 203. (a) Section 106(a) of the Higher Education Act of 1965 is amended by striking out "and 50 per centum of such costs for each of the three succeeding fiscal years" and inserting in lieu thereof "50 per centum of such costs for the fiscal year ending June 30, 1968, and 66⅔ per centum of such costs for fiscal years ending on or after June 30, 1969".

(b) The amendment made by subsection (a) of this section shall be effective with respect to grants awarded after the enactment of this Act.

Part B—Amendments to College Library Assistance and Library Training and Research Programs (Title II)

EXTENSION OF COLLEGE LIBRARY ASSISTANCE PROGRAM (PART A)

20 USC 1021.

Sec. 211. Section 201 of the Higher Education Act of 1965 is amended (1) by inserting after "two succeeding fiscal years," the following: "$25,000,000 for the fiscal year ending June 30, 1969, "$75,000,000 for the fiscal year ending June 30, 1970, and $90,000,000 for the fiscal year ending June 30, 1971," and (2) by striking out the second sentence.

ELIGIBILITY OF BRANCH INSTITUTIONS FOR SUPPLEMENTAL AND SPECIAL PURPOSE GRANTS

20 USC 1023.

SEC. 212. (a)(1) The first sentence of section 203(a) of such Act is amended by inserting after "institutions of higher education" the following: "(and to each branch of such institution which is located in a community different from that in which its parent institution is located, as determined in accordance with regulations of the Commissioner)".

(2) The second sentence of such section is amended by inserting "(or branch)" after "institution".

20 USC 1024.

(b) Section 204(a)(2)(A) of such Act is amended by inserting after "institutions of higher education" the following: "(or to branches of such institutions which are located in a community different from that in which the parent institution is located as determined in acordance with regulations of the Commissioner)".

(c) Section 204(a)(2)(B) of such Act is amended by inserting after "institutions of higher education" the following: "(or to such branches)".

REVISION OF MAINTENANCE-OF-EFFORT REQUIREMENT FOR SPECIAL PURPOSE GRANTS

SEC. 213. (a) Section 204(b)(2) of the Higher Education Act of 1965 is amended by inserting after "June 30, 1965" the following: ", or during the two fiscal years preceding the fiscal year for which the grant is requested, whichever is less".

82 Stat. 1037.
Effective date.

(b) The amendment made by subsection (a) shall be effective with respect to applications for grants payable on or after the date of the enactment of this Act.

ELIGIBILITY OF NEW INSTITUTIONS FOR BASIC GRANTS

20 USC 1022.

SEC. 214. (a) The first sentence of section 202 of the Higher Education Act of 1965 is amended (1) by striking out "and" and inserting in lieu thereof a comma, and (2) inserting after "such institutions" the following: ", and, in accordance with criteria prescribed by regulation, new institutions of higher education in the fiscal year preceding the first year in which students are to be enrolled".

Effective date.
20 USC 1021–1041.

(b) The amendments made by subsection (a) shall be effective with respect to appropriations for grants under title II of the Higher Education Act of 1965 for fiscal years beginning after June 30, 1969.

EXTENSION OF LIBRARY TRAINING AND RESEARCH PROGRAM (PART B)

20 USC 1031.

SEC. 215. Section 221 of the Higher Education Act of 1965 is amended (1) by inserting after "two succeeding fiscal years," the following: "$11,800,000 for the fiscal year ending June 30, 1969, $28,000,000 for the fiscal year ending June 30, 1970, and $38,000,000 for the fiscal year ending June 30, 1971," and (2) by striking out the second sentence.

AMENDMENTS TO LIBRARIANSHIP TRAINING PROVISIONS

SEC. 216. The second sentence of section 223(a) of the Higher Education Act of 1965 is amended— 20 USC 1033.

(1) by striking out "to assist in covering the cost of courses of training or study for such persons, and" and inserting in lieu thereof "(1) to assist in covering the cost of courses of training or study (including short term or regular session institutes) for such persons, (2)"; and

(2) by inserting before the period at the end thereof the following: ", and (3) for establishing, developing, or expanding programs of library and information science".

EXTENSION OF LIBRARY OF CONGRESS PROGRAM (PART C)

SEC. 217. Section 231 of such Act is amended (1) by striking out "and" after "1967," and by inserting after "1968," the following: "$6,000,000 for the fiscal year ending June 30, 1969, and $11,100,000 each for the fiscal year ending June 30, 1970, and the succeeding fiscal year," and (2) by striking out the second sentence. 20 USC 1041.

CLARIFYING AUTHORITY TO PURCHASE COPIES; INCREASING AUTHORITY TO PREPARE CATALOG AND BIBLIOGRAPHIC MATERIALS; AUTHORIZING LIBRARIAN TO ACT AS ACQUISITIONS AGENT

SEC. 218. Section 231 of the Higher Education Act of 1965, as amended by section 217 of this Act, is further amended—

(1) in paragraph (1), by inserting "copies of" before "all" and by striking out "and";

(2) in paragraph (2), by striking out "for these materials promptly after receipt, and distributing bibliographic information" and inserting in lieu thereof "promptly and distributing this and other bibliographic information about library materials", and by striking out the period at the end thereof and inserting in lieu thereof "; and"; and 82 Stat. 1038.

(3) by adding after paragraph (2) the following new paragraph:

"(3) enabling the Librarian of Congress to pay administrative costs of cooperative arrangements for acquiring library materials published outside of the States and not readily obtainable outside of the country of origin, for institutions of higher education or combinations thereof for library purposes, or for other public or private nonprofit research libraries."

PART C—AMENDMENTS TO DEVELOPING INSTITUTIONS PROGRAM (TITLE III)

EXTENSION OF DEVELOPING INSTITUTIONS PROGRAM

SEC. 221. Section 301(b)(1) of the Higher Education Act of 1965 is amended by striking out "and" after "1967," and by in- 20 USC 1051.

serting after "1968," the following: "the sum of $35,000,000 for the fiscal year ending June 30, 1969, the sum of $70,000,000 for the fiscal year ending June 30, 1970, and the sum of $91,000,000 for the fiscal year ending June 30, 1971,".

INCREASED SHARE FOR JUNIOR COLLEGES

SEC. 222. Effective with respect to fiscal years beginning after June 30, 1968, section 301(b)(2) of the Higher Education Act of 1965 is amended by striking out "78 per centum" and inserting in lieu thereof "77 per centum".

PROFESSORS EMERITUS

20 USC 1051–1055.

SEC. 223. (a) Title III of the Higher Education Act of 1965 is amended by inserting immediately after section 305 the following new section:

"PROFESSORS EMERITUS

"SEC. 306. (a) The Commissioner is authorized to award grants under this section, from funds appropriated for the purpose of this title, to professors retired from active duty at institutions of higher education (other than developing institutions) to encourage such professors to teach and to conduct research at developing institutions. Such grants may be awarded by the Commissioner (1) only upon application made by an institution and approved for this purpose by the Commissioner and (2) only upon a finding by the Commissioner that the program of teaching or research set forth in the application is reasonable in the light of the qualifications of the professor emeritus and of the educational needs of the applicant.

"(b) The Commissioner shall undertake a program of dissemination of information concerning this section.

"(c) Grants may be awarded under this section for such period of teaching or research as the Commissioner may determine. The amount of each grant awarded under the provisions of this section for each academic year of teaching or research shall be determined by the Commissioner upon the advice of the Council."

Effective date.

(b) The amendment made by this section shall be effective with respect to appropriations for fiscal years beginning after June 30, 1969.

82 Stat. 1030.

PART D—AMENDMENTS TO EDUCATION PROFESSIONS DEVELOPMENT PROGRAM (TITLE V)

EXTENSION OF PROGRAMS

20 USC 1091c, 1101, 1108, 1118, 1119a, 1119b–2.

SEC. 231. (a) Sections 504(b), 511(b), 518(b), 528, 532, and 543 of the Higher Education Act of 1965 are each amended by striking out "the fiscal year ending June 30, 1970" and inserting in lieu thereof the following: "each of the succeeding fiscal years ending prior to July 1, 1971".

(b)(1) Such section 511(b) is further amended by striking out "June 30, 1971" and inserting in lieu thereof "June 30, 1972".

(2) Such section 528 is further amended by striking out "July 1, 1970" and inserting in lieu thereof "July 1, 1971", and by changing the comma before "and such sums" to a semicolon.

PROVISION OF MEDICAL INSURANCE COVERAGE TO TEACHER CORPS MEMBERS NOT OTHERWISE COVERED

SEC. 232. Section 514 of the Higher Education Act of 1965 is amended by adding immediately following subsection (d) thereof the following new subsection: 20 USC 1104.

"(e) The Commissioner is authorized to provide medical (including hospitalization) insurance for members of the Teacher Corps who do not otherwise obtain such insurance coverage either under an arrangement made pursuant to subsection (d) of this section or as an incident of an arrangement between the Commissioner and an institution or a State or local educational agency pursuant to section 513." 20 USC 1103.

AUTHORIZING STATE EDUCATIONAL AGENCIES TO ADMINISTER DIRECTLY PROGRAMS OF TEACHER AND TEACHER AIDE RECRUITMENT AND TRAINING

SEC. 233. (a) Subsection (a) of section 518 of the Higher Education Act of 1965 is amended by inserting after "teacher shortages" the following: ", or the efforts of State educational agencies,".

(b) Subsection (a) of section 520 of such Act is amended— 20 USC 1110.

(1) in paragraph (2), by inserting after "local educational agencies" the following: "or of the State educational agency, or both,"

(2) by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) with respect to so much of the State program as is to be carried out by local educational agencies, (A) provides assurance that every local educational agency whose application for funds under the plan is denied will be given an opportunity for a fair hearing before the State educational agency and (B) sets forth the policies and procedures to be followed in allocating Federal funds to local educational agencies in the State, which policies and procedures shall insure that such funds will be allocated to local educational agencies having the most urgent need for teachers and teacher aides;" and

(4) by redesignating paragraphs (5) through (10) as paragraphs (4) through (9), respectively.

MINIMUM ALLOTMENT FOR TITLE V–B, SUBPART 2

SEC. 234. (a) The second sentence of section 519(a) of the Higher Education Act of 1965 is amended to read as follows: 20 USC 1109. "From the remainder of such sums, the Commissioner shall

82 Stat. 1040.

apportion $100,000 to each State, and shall then apportion to each State such part of the amount remaining which bears the same ratio to the total of such amount as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children so enrolled in such schools in all of the States.".

Effective date.

(b) The amendment made by this section shall be effective with respect to appropriations for fiscal years beginning after June 30, 1968.

FELLOWSHIPS FOR SCHOOL ADMINISTRATORS

20 USC 1111.

SEC. 235. The third sentence of section 521 of the Higher Education Act of 1965 is amended by inserting after "become such teacher", the following: "a career in the administration of such schools,".

ALLOCATION OF FELLOWSHIPS UNDER TITLE V–C

20 USC 1113.

SEC. 236. Clause (1) of section 523 of the Higher Education Act of 1965 is amended (1) by inserting after "provide an equitable distribution of such fellowships throughout the States," the following: "taking into account such factors as the number of children in each State who are aged three to seventeen and the undergraduate student enrollment in insitutions of higher education in each State," and, (2) by striking out "except that to the extent he deems proper in the national interest after consultation with the National Advisory Council on Education Professions Development, the Commissioner may give preference to programs designed to meet an urgent national need" and inserting in lieu thereof "except that to the extent that the National Advisory Council on Education Professions Development determines that an urgent need for a certain category of educational personnel is unlikely to be met without preference in favor of such category over other categories of educational personnel, the Commissioner may give preference to programs designed to meet that need, but in no case shall such preferred programs constitute more than 50 per centum of the total number of fellowships awarded in any fiscal year".

TECHNICAL CORRECTIONS

20 USC 1114.

SEC. 237. Section 524(a) of the Higher Education Act of 1965 is amended by inserting in paragraphs (1) and (4) "or postsecondary vocational education" after "career in elementary and secondary education".

INCREASE IN COST-OF-EDUCATION ALLOWANCE

20 USC 1115.

SEC. 238. Section 525(b) of the Higher Education Act of 1965 is amended to read as follows:

"(b) The Commissioner shall (in addition to stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amount as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported programs, except that such amount shall not exceed $3,500 per academic year for each such person."

EQUITABLE DISTRIBUTION UNDER TITLE V–D

SEC. 239. The Higher Education Act of 1965 is amended by inserting at the end of part D the following new section: 20 USC 1119–1119a.

"DISTRIBUTION OF TRAINING PROGRAMS

82 Stat. 1041.

"SEC. 533. In making grants and contracts for programs and projects under this part, the Commissioner shall seek to achieve an equitable geographical distribution of training opportunities throughout the Nation, taking into account the number of children in each State who are aged three to seventeen."

PART E—EQUIPMENT AND MATERIALS FOR HIGHER EDUCATION (TITLE VI)

EXTENSION OF PROGRAM

SEC. 241. Section 601 of the Higher Education Act of 1965 is amended— 20 USC 1121.

(1) in subsection (b), by striking out "and " after "1967," and by inserting after "1968," the following: $13,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 for each of the two succeeding fiscal years,";

(2) in subsection (c), by striking out "and" after "1966," and by inserting after "for the succeeding fiscal year," the following: "$1,500,000 for the fiscal year ending June 30, 1969, and $10,000,000 for each of the two succeeding fiscal years,"; and

(3) by striking out subsection (d).

ELIGIBILITY OF COMBINATIONS OF INSTITUTIONS

SEC. 242. (a) Sections 601(b), 601(c) and 605(a) of the Higher Education Act of 1965 are each amended to inserting after "institutions of higher education" the following: "and combinations of institutions of higher education". 20 USC 1125.

(b) The second sentence of section 604(a) of such Act and the first sentence of section 604(b) are each amended by inserting after "institution" the following: "or combination of institutions of higher education". 20 USC 1124.

(c) The third sentence of section 604(a) is amended by striking out "applicant institutions" and inserting in lieu thereof "applicants".

(d) Section 604(b) of such Act is amended by inserting after the second sentence the following: "A combination of institutions of higher education shall be eligible for such a grant in accordance with regulations of the Commissioner prescribing requirements for maintenance of effort."

(e) Section 605(b)(5)(C) of such Act is amended by striking out "institution" and inserting in lieu thereof "applicant".

CONSULTATION

20 USC 1121–1129.

SEC. 243. Part A of title VI of the Higher Education Act of 1965 is amended by inserting at the end thereof the following:

"CONSULTATION

"SEC. 610. So as to promote the coordination of Federal programs providing assistance in the purchase of laboratory or other special equipment for education in the natural or physical sciences, the Commissioner shall consult with the National Science Foundation and other agencies in developing general policy, under this title, in respect thereof."

82 Stat. 1042.

PART F—NETWORKS FOR KNOWLEDGE

SHARING OF EDUCATIONAL AND RELATED RESOURCES AMONG COLLEGES AND UNIVERSITIES

20 USC 1141–1144.

SEC. 251. The Higher Education Act of 1965 is amended by redesignating title VIII as title XII, and sections 801 through 804 (and references thereto however styled in such Act, or any other Act, including such references heretofore made in this Act) as sections 1201 through 1204, respectively. The Higher Education Act of 1965 is further amended by inserting after title VII the following new title:

"TITLE VIII—NETWORKS FOR KNOWLEDGE

"SHARING EDUCATIONAL AND RELATED RESOURCES

"SEC. 801. (a) To encourage colleges and universities to share to an optimal extent, through cooperative arrangements, their technical and other educational and administrative facilities and resources, and in order to test and demonstrate the effectiveness and efficiency of a variety of such arrangements the Commissioner is authorized to enter into contracts and to make project grants for all or part of the cost of planning, developing, or carrying out such arrangements. Such grants may be made to public or nonprofit private colleges or universities. When in the Commissioner's judgment it will more effectively promote the purposes of this title, the Commissioner may make grants to other established public or nonprofit private agencies or organizations, including professional organizations or academic societies and he may enter into contracts with established private agencies and organizations.

"(b) Projects for the planning, development, or carrying out of such arrangements assisted under this title may, subject to the provisions of subsection (c), include—

"(1)(A) joint use of facilities such as classrooms, libraries, or laboratories, including joint use of necessary books, materials, and equipment; or (B) affording access to specialized library collections through preparation of interinstitutional catalogs and through development of systems and preparation of suitable media for electronic or other rapid transmission of materials;

"(2) establishment and joint operation of closed-circuit television or equivalent transmission facilities (such as the instructional television fixed services); and

"(3) establishment and joint operation of electronic computer networks and programs therefor, to be available to participating institutions for such purposes as financial and student records, student course work, or transmission of library materials.

"(c)(1) Grants pursuant to clause (B) of paragraph (1) of subsection (b) may not be used to pay the costs of electronic transmission terminals.

"(2) In the case of a project for the establishment and operation of a computer network, grants may not include—

"(A) the cost of operating administrative terminals or student terminals at participating institutions; or

"(B) the cost, or any participating institution's pro rata share of the cost, of using the central computer facilities of the network, except (i) such costs of systems development and programing of computers and transmission costs as are necessary to make the network operational, (ii) the administrative and program support costs of the central facilities of the network, and (iii) the line-access costs incurred by participating institutions.

"APPROPRIATIONS AUTHORIZED

"SEC. 802. There are authorized to be appropriated for the purposes of this title (and planning and related activities in the initial fiscal year for such purpose), $340,000 for the fiscal year ending June 30, 1969, $4,000,000 for the fiscal year ending June 30, 1970, $15,000,000 for the fiscal year ending June 30, 1971.

82 Stat. 1043.

"AUTHORITY FOR FREE OR REDUCED RATE COMMUNICATIONS INTERCONNECTION SERVICES

SEC. 803. Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering, subject to such rules and regulations as the Federal Communications Commission may prescribe, free or reduced rate communications interconnection services for interconnection systems within the purview of this title, whether or not included in a project for which a grant is made under this title."

48 Stat. 1064.
47 USC 609 and note.

PART G—EDUCATION FOR THE PUBLIC SERVICE

GRANTS, CONTRACTS, AND FELLOWSHIPS TO STRENGTHEN PROGRAMS OF EDUCATION FOR THE PUBLIC SERVICE

SEC. 261. The Higher Education Act of 1965 is amended by inserting after title VIII the following new title:

Ante, p. 1042.

"TITLE IX—EDUCATION FOR THE PUBLIC SERVICE

"PURPOSE

"SEC. 901. It is the purpose of this title to establish a program of grants and fellowships to improve the education of students attending institutions of higher education in preparation for entrance into the service of State, local, or Federal governments, and to attract such students to the public service.

"PART A—GRANTS AND CONTRACTS TO STRENGTHEN AND IMPROVE EDUCATION FOR THE PUBLIC SERVICE

"PROJECT GRANTS AND CONTRACTS

"SEC. 903. The Secretary is authorized to make grants to or contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects (i) for the preparation of graduate or professional students to enter the public service or (ii) for research into, or development or demonstration of, improved methods of education for the public service. Such grants or contracts may include payment of all or part of the cost of programs or projects such as—

"(1) planning for the development or expansion of graduate or professional programs to prepare students to enter the public service;

"(2) training and retraining of faculty members;

"(3) strengthening the public service aspects of courses or curriculums leading to a graduate or professional degree;

"(4) establishment, expansion, or operation of centers for study at the graduate or professional level (but not including payment for construction or acquisition of buildings);

82 Stat. 1044.

"(5) conduct of short-term or regular session institutes for advanced study by persons engaged in, or preparing to engage in, the preparation of students to enter the public service;

"(6) carrying out innovative and experimental programs of cooperative education involving alternate periods of full-time or part-time academic study at the institution and periods of full-time or part-time public service; and

"(7) research into, and development of, methods of training students or faculty, including the preparation of teaching materials and the planning of curriculum.

"APPLICATION FOR GRANT OR CONTRACT; ALLOCATION OF GRANTS OR CONTRACTS

"SEC. 904. (a) A grant or contract authorized by this part may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

"(1) sets forth programs, activities, research, or development for which a grant is authorized under this part, and describes the relation to any program set forth by the applicant in an application, if any, submitted pursuant to part B;

"(2) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

"(3) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

"(b) The Secretary shall allocate grants or contracts under this part in such manner as will most nearly provide an equitable distribution of the grants or contracts throughout the United States among institutions of higher education which show promise of being able to use funds effectively for the purposes of this part.

"(c) (1) Payments under this section may be used, in accordance with regulations of the Secretary, and subject to the terms and conditions set forth in an application approved under subsection (a), to pay part of the compensation of students employed in public service, other than public service as an employee in any branch of the Government of the United States, as part of a program for which a grant has been approved pursuant to this section.

"(2) Departments and agencies of the United States are encouraged, to the extent consistent with efficient administration, to enter into arrangements with institutions of higher education for the full-time, part-time, or temporary employment, whether in the competitive or excepted service of students enrolled in programs set forth in applications approved under subsection (a).

"Part B—Public Service Fellowships

"AWARD OF PUBLIC SERVICE FELLOWSHIPS

"Sec. 911. The Secretary is authorized to award fellowships in accordance with the provisions of this part for graduate or professional study for persons who plan to pursue a career in public service. Such fellowships shall be awarded for such periods as the Secretary may determine but not to exceed three academic years.

"ALLOCATION OF FELLOWSHIPS 82 Stat. 1045.

"Sec. 912. The Secretary shall allocate fellowships under this part among institutions of higher education with programs approved under the provisions of this part for the use of individuals accepted into such programs, in such manner and according to such plan as will insofar as practicable—

"(1) provide an equitable distribution of such fellowships throughout the United States; and

"(2) attract recent college graduates to pursue a career in public service.

"APPROVAL OF PROGRAMS

"SEC. 913. The Secretary shall approve a graduate or professional program of an institution of higher education only upon application by the institution and only upon his findings—

"(1) that such program has as a principal or significant objective the education of persons for the public service, or the education of persons in a profession or vocation for whose practitioners there is a significant and continuing need in the public service as determined by the Secretary after such consultation with other agencies as may be appropriate;

"(2) that such program is in effect and of high quality, or can readily be put into effect and may reasonably be expected to be of high quality;

"(3) that the application describes the relation of such program to any program, activity, research, or development set forth by the applicant in an application, if any, submitted pursuant to part A; and

"(4) that the application contains satisfactory assurance that (A) the institution will recommend to the Secretary, for the award of fellowships under this part, for study in such program, only persons of superior promise who have demonstrated to the satisfaction of the institution a serious intent to enter the public service upon completing the program, and (B) the institution will make reasonable continuing efforts to encourage recipients of fellowships under this part, enrolled in such program, to enter the public service upon completing the program.

"STIPENDS

"SEC. 914. (a) The Secretary shall pay to persons awarded fellowships under this part such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

"(b) The Secretary shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amount as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported programs.

"FELLOWSHIP CONDITIONS

"SEC. 915. A person awarded a fellowship under the provisions of this part shall continue to receive the payments provided in this part only during such periods as the Secretary finds that he is maintaining satisfactory proficiency and devoting full time to study or research in the field in which such fellowship was awarded in an institution of higher education, and is not engaging in gainful employment other than employment approved by the Secretary by or pursuant to regulation.

82 Stat. 1046.

"PART C—GENERAL PROVISIONS

"DEFINITIONS

"SEC. 921. As used in this title—

"(a) The term 'State' includes the Canal Zone, and the Trust Territory of the Pacific Islands.

"(b) The term 'institution of higher education' means an educational institution described in the first sentence of section 1201 (other than an institution of any agency of the United States) which is accredited by a nationally recognized accrediting agency or association approved by the Secretary for this purpose. For purposes of this subsection, the Secretary shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

Ante, p. 1042.

"(c) The term 'public service' means service as an officer or employee in any branch of State, local, or Federal Government.

"(d) The term 'academic year' means an academic year or its equivalent, as determined by the Secretary.

"COORDINATION OF FEDERAL ASSISTANCE

"SEC. 922. In administering this title, the Secretary shall give primary emphasis to the assistance of programs and activities not otherwise assisted by the Department of Health, Education, and Welfare, or by other agencies of the Federal Government, so as to promote most effectively the objectives of this title.

"LIMITATION

"SEC. 923. No grant, contract, or fellowship shall be awarded under this title to, or for study at, a school or department of divinity. For the purposes of this section, the term 'school or department of divinity' means an institution or department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"School or department of divinity."

"REPORT

"SEC. 924. The Secretary shall include in his annual report to the Congress a report of activities of his Department under this title, including recommendations for needed revisions in the provisions thereof.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 925. There are authorized to be appropriated $340,000 for the fiscal year ending June 30, 1969, $5,000,000 for the fiscal year ending June 30, 1970, and $13,000,000 for the fiscal year ending June 30, 1971, to carry out the purposes of this title (and planning and related activities in the initial fiscal year for such purpose). Funds appropriated for the fiscal year ending June 30, 1969, shall be available for obligation pursuant to the provisions of this title during that year and the succeeding fiscal year."

82 Stat. 1047.

PART H—IMPROVEMENT OF GRADUATE PROGRAMS

AUTHORIZATION

Ante, p. 1043.

SEC. 271. The Higher Education Act of 1965 is amended by inserting after title IX the following new title:

"TITLE X—IMPROVEMENT OF GRADUATE PROGRAMS

"STATEMENT OF PURPOSES

"SEC. 1001. The purposes of this title are to strengthen and improve the quality of graduate programs leading to a doctoral or professional (other than medical) degree, and to increase the number of such quality programs.

"APPROPRIATIONS AUTHORIZED; USE OF GRANTS

"SEC. 1002. (a) There are authorized to be appropriated $340,000 for the fiscal year ending June 30, 1969, $5,000,000, for the fiscal year ending June 30, 1970, and $10,000,000 for the fiscal year ending June 30, 1971, to enable the Commissioner to make grants to institutions of higher education having programs leading to a degree of doctor of philosphy or comparable professional or other graduate degree, upon such terms and conditions as he may establish, to pay part of the cost of planning, developing, or carrying out projects or activities designed to achieve one or more of the purposes set forth in section 1001. Such amount for the fiscal year ending June 30, 1969, shall also be available for planning and related activities for the purpose of this title. Such grants may be used for experimental, innovative, or interdisciplinary projects or activities such as—

"(1) the strengthening of graduate faculties by enlarging their size, improving their academic or professional qualifications, or increasing the number of disciplines in which they are skilled;

"(2) the expansion or improvement of existing graduate programs, or the establishment of additional graduate programs;

"(3) the acquisition of appropriate equipment or curricular, research, or other materials required to fulfill the objectives of projects or activities described in clause (2);

"(4) the development or carrying out of cooperative arrangements among graduate schools in furtherance of the purposes of this title; or

"(5) the strengthening of graduate school administration.

"(b) No portion of the sums granted under this title may be used—

"(1) for payment in excess of 66⅔ per centum of the total cost of such project or activity;

"(2) for payment in excess of 50 per centum of the cost of the purchase or rental of books, audiovisual aids, scientific apparatus, or other materials or equipment, less any per centum of such cost, as determined by the Commissioner, that is paid from sums received (other than under this part) as Federal financial assistance; or

"(3) for sectarian instruction or religious worship, or primarily in connection with any part of the program of an institution, or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"SELECTION OF GRANT RECIPIENTS

82 Stat. 1048.

"SEC. 1003. In the awarding of grants under this title the Commissioner shall, insofar as practicable and consistent with the other purposes of this title, give weight to the objective of having an adequate number of graduate and professional schools of good quality within each appropriate region.

"CONSULTATION

"SEC. 1004. In the development of general policy governing the administration of this title, the Commissioner shall consult with the National Science Foundation, the National Foundation on the Arts and the Humanities, and the Federal Judicial Center for the purpose of promoting the coordination of Federal programs bearing on the purposes of this title."

PART I—LAW SCHOOL CLINICAL EXPERIENCE PROGRAMS

AUTHORIZATION

SEC. 281. The Higher Education Act of 1965 is amended by inserting after title X the following new title:

Ante, p. 1047.

"TITLE XI—LAW SCHOOL CLINICAL EXPERIENCE PROGRAMS

"PROGRAM AUTHORIZATION

"SEC. 1101. (a) The Commissioner is authorized to enter into contracts with accredited law schools in the States for the purpose of paying not to exceed 90 per centum of the cost of establishing or expanding programs in such schools to provide clinical experience to students in the practice of law, with preference being given to programs providing such experience, to the extent practicable, in the preparation and trial of cases.

"(b) Such costs may include necessary expenditures incurred for—

"(1) planning;

"(2) training of faculty members and salary for additional faculty members;

"(3) travel and per diem for faculty and students;

"(4) reasonable stipends for students for work in the public service performed as part of any such program at a time other than during the regular academic year;

"(5) equipment; and

"(6) such other items as are allowed pursuant to regulations issued by the Commissioner.

"(c) No law school may receive more than $75,000 in any fiscal year pursuant to this title.

"Accredited law school."

"(d) For the purpose of this title the term 'accredited law school' means any law school which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose.

"APPLICATIONS

"SEC. 1102. (a) A contract authorized by this title may be made by the Commissioner upon application which—

"(1) is made at such time or times and contains such information as he may prescribe;

"(2) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

82 Stat. 1049.

"(3) provides for making such reports, in such form and containing such information as the Commissioner may require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall allocate contracts under this title in such manner as will provide an equitable distribution of such contracts throughout the United States among law schools which show promise of being able to use funds effectively for the purposes of this title.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1103. There are authorized to be appropriated $340,000 for the fiscal year ending June 30, 1969, and $7,500,000 for each of the fiscal years ending June 30, 1970, and June 30, 1971, to carry out the purposes of this title (and planning and related activities in the initial fiscal year for such purposes). Funds appropriated for the fiscal year ending June 30, 1969, shall be available for obligation pursuant to the provisions of this title during that year and the succeeding fiscal year."

PART J—AMENDMENTS TO GENERAL PROVISIONS (TITLE XII)

ESTABLISHMENT OF ADVISORY COUNCIL ON GRADUATE EDUCATION; ABOLITION OF HIGHER EDUCATION FACILITIES ACT ADVISORY COMMITTEE

SEC. 291. (a) The Higher Education Act of 1965 is amended by adding after the section 1204 (as redesignated by section 251 of this Act) the following new section: *Ante*, p. 1042.

"ADVISORY COUNCIL ON GRADUATE EDUCATION

"SEC. 1205. (a) There is hereby established in the Office of Education an Advisory Council on Graduate Education (hereafter in this section referred to as the 'Council'), consisting of the Commissioner, who shall be Chairman, of one representative each from the Office of Science and Technology in the Executive Office of the President, the National Science Foundation, and the National Foundation on the Arts and the Humanities, and of members appointed by the Commissioner without regard to the civil service or classification laws. Such appointed members shall be selected from among leading authorities in the field of education, except that at least one of them shall be a graduate student.

Membership.

"(b) The Council shall advise the Commissioner on matters of general policy arising in the administration by the Commissioner of programs relating to graduate education.

Compensation, travel expenses.

"(c) Members of the Council who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Council or otherwise engaged in the business of the Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Council away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

33 F.R. 8641.

(d) The Commissioner is authorized to furnish to the Council such technical assistance, and to make available to it such secretarial, clerical, and other assistance and such pertinent

82 Stat. 1050.
Repeal.
20 USC 733.
20 USC 732.

data available to him, as the Council may require to carry out its functions."

(b)(1) Section 203 of the Higher Education Facilities Act of 1963 is repealed.

(2) Paragraph (1) of section 202(c) of such Act is amended to read as follows:

"(1) The Commissioner shall not approve any application for a grant under this title until he has obtained the advice and recommendations of a panel of specialists who are not employees of the Federal Government and who are competent to evaluate such applications."

DISSEMINATION OF INFORMATION

Ante, p. 1049.

SEC. 202. The Higher Education Act of 1965 is further amended by adding after section 1205 (as added by this title) the following new section:

"DISSEMINATION OF INFORMATION

72 Stat. 1580.
20 USC 401 note.
77 Stat. 363.
20 USC 701 note.

"SEC. 1206. (a) For the purpose of carrying out more effectively the provisions of this Act, the National Defense Education Act of 1958, the Higher Education Facilities Act of 1963, and other Acts administered by him in the field of higher education (including those administered by him by delegation), the Commissioner—

"(1) shall prepare and disseminate to institutions of higher education, State agencies concerned with higher education, and other appropriate agencies and institutions (A) reports on programs and projects assisted under such Acts and other programs and projects of a similar nature, and (B) catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

"(2) may upon request provide advice, counsel, technical assistance, and demonstrations to institutions and agencies referred to in paragraph (1) undertaking to initiate or expand programs or projects under such Acts in order to enhance the quality, increase the depth, or broaden the scope of such programs or projects, and shall inform such institutions and agencies of the availability of assistance pursuant to this paragraph;

"(3) shall from time to time prepare and disseminate to institutions and agencies referred to in paragraph (1) reports setting forth developments in the utilization and adaptation of projects carried out pursuant to such Acts; and

"(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

Appropriation.

"(b) There are authorized to be appropriated to carry out the provisions of this section $2,000,000 for the fiscal year ending June 30, 1970. For the fiscal year ending June 30, 1971, there may be appropriated to carry out the provisions of this section only such amount as the Congress may hereafter authorize by law.

CONFORMING DEFINITIONS OF INSTITUTION OF HIGHER EDUCATION IN HIGHER EDUCATION ACT OF 1965 AND IN NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 293. (a) Section 1201(a) of the Higher Education Act of 1965 (as so redesignated by section 251 of this Act) is amended by inserting after "if not so accredited," in clause (5) the following: "(A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B)". 20 USC 1141. 82 Stat. 1051.

(b) The second sentence of such paragraph (a) is amended by striking out "Such term also includes any business school or technical institution" and inserting in lieu thereof "Such term also includes any school which provides not less than one-year program of training to prepare students for gainful employment in a recognized occupation and".

INSERTION OF DEFINITION OF "COMBINATION OF INSTITUTIONS OF HIGHER EDUCATION" IN HIGHER EDUCATION ACT OF 1965

SEC. 294. Section 1201 of the Higher Education Act of 1965 (as so redesignated by section 251 of this Act) is amended by inserting at the end thereof the following: 20 USC 1141.

> "(j) The term 'combination of institutions of higher education' means a group of institutions of higher education that have entered into a cooperative arrangement for the purpose of carrying out a common objective, or a public or private nonprofit agency, organization, or institution designated or created by a group of institutions of higher education for the purpose of carrying out a common objective on their behalf."

PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN HIGHER EDUCATION PROGRAMS

SEC. 295. The Higher Education Act of 1965, as amended by this Act, is further amended by adding after section 1206 the following new sections: *Ante*, p. 1050.

"PROGRAM PLANNING AND EVALUATION FOR HIGHER EDUCATION PROGRAMS

"SEC. 1207. There are authorized to be appropriated $1,117,000 for the fiscal year ending June 30, 1969, and $1,900,000 for the fiscal year ending June 30, 1970, to be available to the Sec- Appropriation.

retary, in accordance with regulations prescribed by him, for expenses, including grants, loans, contracts, or other payments, for (1) planning for the succeeding year programs or projects authorized under any other provision of this Act or any provision of the National Defense Education Act of 1958 or the Higher Education Facilities Act of 1963, and (2) evaluation of programs or projects so authorized.

72 Stat. 1580.
20 USC 401 note.
77 Stat. 363.
20 USC 701 note.

"ADVANCE FUNDING

"SEC. 1208. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for education, appropriations for grants, loans, contracts, or other payments under any Act referred to in section 1207 are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

82 Stat. 1052.

"EVALUATION REPORTS AND CONGRESSIONAL REVIEW

"SEC. 1209. (a) No later than March 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 1207 and to the respective Committee on Appropriations a report evaluating the results and effectiveness of programs and projects assisted thereunder during the preceding fiscal year, together with his recommendations (including any legislative recommendations) relating thereto.

Ante, p. 1051.

"(b) In the case of any such program, the report submitted in the penultimate fiscal year for which appropriations are then authorized to be made for such program shall include a comprehensive and detailed review and evaluation of such program (as up to date as the due date permits) for its entire past life, based to the maximum extend practicable on objective measurements, together with the Secretary's recommendations as to proposed legislative action.

"AVAILABILITY OF APPROPRIATIONS ON ACADEMIC OR SCHOOL YEAR BASIS

"SEC. 1210. Appropriations for any fiscal year for grants, loans, contracts, or other payments to educational agencies or institutions under any Act referred to in section 1207, may, in accordance with regulations of the Secretary, be made available for expenditure by the agency or institution concerned on the basis of an academic or school year differing from such fiscal year."

TITLE III—AMENDMENTS TO OTHER PROVISIONS OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

PART A—EQUIPMENT AND MATERIALS FOR ELEMENTARY AND SECONDARY EDUCATION (TITLE III)

EXTENSION OF PROGRAM

SEC. 301. (a) Section 301 of the National Defense Education Act of 1958 is amended by striking out "and $110,000,000 for the fiscal year ending June 30, 1968," and inserting in lieu thereof ", $110,000,000 for each of the fiscal years ending June 30, 1968, and June 30, 1969, $120,000,000 for the fiscal year ending June 30, 1970, and $130,000,000 for the fiscal year ending June 30, 1971,". Appropriation. 20 USC 441.

(b) Such section 301 is further amended by striking out "the fiscal year ending June 30, 1965, and for each of the three succeeding fiscal years" and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1971".

(c) The second sentence of section 304(b) of such Act is amended by striking out "eight" and inserting in lieu thereof "eleven". 20 USC 444.

PROVISION FOR WITHIN-STATE EQUALIZATION IN STATE-IMPOSED REQUIREMENTS FOR FINANCIAL PARTICIPATION OF PROJECT APPLICANTS

SEC. 302. Subsection (a) of section 303 of the National Defense Education Act of 1958 is amended by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and"; and by inserting at the end of such subsection the following new paragraph: 20 USC 443.

"(6) sets forth any requirements imposed upon applicants for financial participation in projects assisted under this part, including any provision for taking into account, in such requirements, the resources available to any applicant for such participation relative to the resources for participation available to all other applicants." 82 Stat. 1053.

PRIVATE SCHOOLS: AUTHORIZING REALLOTMENT OF SET-ASIDE FOR LOANS; REPEALING LOAN ALLOTMENT FORMULA

SEC. 303. (a)(1) Section 305 of the National Defense Education Act of 1958 is amended by striking out "SEC. 305." and all that follows down to but not including subsection (b)(1) and inserting in lieu thereof the following: 20 USC 445.

"SEC. 305. From the sums reserved for each fiscal year for the purposes of this section under the provisions of section 302(a), the Commissioner is authorized to make loans to private nonprofit elementary and secondary schools in any State. Any such loan shall be made only for the purposes for which payments to State educational agencies are authorized under the first sentence of section 301, and—".

20 USC 441.

(2) Paragraph (3) of such section is amended by striking out "the current average yield on all outstanding marketable obligations of the United States" and inserting in lieu thereof "the current average market yield on outstanding marketable obligations of the United States with redemption periods to maturity comparable to the average maturities of such loans".

20 USC 442.

(b) Section 302(c) of such Act is amended to read as follows:

"(c) The amount of any State's allotment under subsection (a) of this section for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to the other States in proportion to the original allotments to such States under subsection (a) of this section, but with such proportionate amount for any such State being reduced to the extent it exeeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reserved for any fiscal year for making loans under section 305 which the Commissioner determines will not be required for that purpose for such year shall be available for allotment among the States in the manner provided in the preceding sentence for reallotments. Any amount allotted or reallotted to a State under this subsection during a year from funds appropriated pursuant to section 301 shall be deemed part of its allotment under subsec-

Ante, p. 1052.

with respect to loans made after the date of enactment of this
tion (a) of this section for such year."

(c) The amendment made by subsection (a)(2) shall apply
Act.

EQUIPMENT FOR EDUCATIONALLY DEPRIVED CHILDREN

Sec. 304. (a) Title III of the National Defense Education Act of 1958 is amended by inserting immediately below the center heading thereof the following:

"Part A—Grants to States"

(b) Title III of such Act is amended (1) by striking out "this title" wherever it appears and inserting in lieu thereof "this part"; and (2) by adding at the end thereof the following new part:

82 Stat. 1054.

"Part B—Grants to Local Educational Agencies

"APPROPRIATIONS AUTHORIZED

"Sec. 311. There are hereby authorized to be appropriated, for carrying out this part, $84,373,000 for the fiscal year ending June 30, 1969, and $160,000,000 for the fiscal year ending June 30, 1970. For the fiscal year ending June 30, 1971, there may be appropriated to carry out the provisions of this part only such amount as the Congress may hereafter authorize by law.

"ALLOTMENTS TO LOCAL EDUCATIONAL AGENCIES

"SEC. 312. From the sums appropriated pursuant to section 311 for any fiscal year the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine for allotment as provided in section 1008(A). From the remainder of such sums the Commissioner shall allot to each local educational agency (other than local educational agencies of States which receive their allotments under this part as provided in subsection 1008(A)) an amount which bears the same ratio to the amount of such remainder as the amount received by such agency from funds appropriated for the preceding fiscal year for grants under title I of the Elementary and Secondary Education Act of 1965 (title II of Public Law 874, Eighty-first Congress, as amended) bears to the amount received by all local educational agencies from such funds for such year.

Post, p. 1058.

20 USC 241a–241m.

"APPLICATION OF LOCAL EDUCATIONAL AGENCY

"SEC. 313. (a) A local educational agency may receive a grant under this part for any fiscal year only on application therefor approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish)—

"(1) that payments under this part will be used for the acquisition of equipment and materials referred to in section 303(a)(1) to be used in programs and projects designed to meet the special educational needs of educationally deprived children in school attendance areas having a high concentration of children from low-income families;

20 USC 443.

"(2) that, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) which will afford such children the benefits of the equipment and materials provided under this part;

"(3) that the local educational agency has provided satisfactory assurance that the control of funds provided under this part, and that title to equipment and materials acquired therewith, shall be in a public agency for the uses and purposes provided in this part, and that a public agency will administer such funds and equipment and materials; and

"(4) that the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this part, and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports.

82 Stat. 1055.
Recordkeeping.

"(b) The State educational agency shall not finally disapprove in whole or in part any application for funds under this part without first affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

"STATE APPLICATION

"SEC. 314. (a) Any State desiring to participate under this part shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance—

"(1) that payments under this part will be used only for programs and projects which have been approved by the State educational agency pursuant to section 313, and that such agency will in all other respects comply with the provisions of this part, including the enforcement of any obligations imposed upon a local educational agency under section 313.

"(2) that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, funds paid to the State (including such funds paid by the State to local educational agencies) under this part; and

"(3) that the State educational agency will make to the Commissioner such reports as may be reasonably necessary to enable the Commissioner to perform his duties under this part (including such reports as he may require to determine the amounts which local educational agencies of that State are eligible to receive for any fiscal year), and assurance that such agency will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) An application submitted under this section shall be deemed a State plan for the purposes of sections 1004 and 1005. 20 USC 584, 585.

"PAYMENTS

"SEC. 315 (a) The Commissioner shall, from time to time pay to each State, in advance or otherwise, the amount which the local educational agencies of that State are eligible to receive under this part. Such payments shall take into account the extent (if any) to which any previous payment to such State educational agency under this part (whether or not in the same fiscal year) was greater or less than the amount which should have been paid to it.

"(b) From the funds paid to it pursuant to subsection (a) each State educational agency shall distribute to each local educational agency of the State which has submitted an application approved to pursuant to section 313(a) the amount for which such application has been approved, except that this amount shall not exceed its allotment for the fiscal year under section 312."

(c) Paragraph (2) of section 1004(c) of the National Defense Education Act of 1958 is amended, (1) by striking out "title III or V" and inserting in lieu thereof "part A or B of title III or under title V"; and (2) by inserting "part or" before "title or section" each time these words appear in such paragraph.

PART B—AMENDMENTS TO NATIONAL DEFENSE FELLOWSHIP PROGRAM

82 Stat. 1056.

EXTENSION OF PROGRAM

SEC. 311. (a) Section 402(a) of the National Defense Education Act of 1958 is amended by striking out "two succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years". 20 USC 462.

(b) Section 403(a) of such Act is amended by striking out "three succeeding fiscal years" and inserting in lieu thereof "eight succeeding fiscal years". 20 USC 463.

INCREASING MAXIMUM LENGTH OF FELLOWSHIP FROM THREE TO FOUR YEARS IN SPECIAL CIRCUMSTANCES, AND REQUIRING INSTITUTIONAL EFFORT TO ENCOURAGE RECIPIENTS TO ENTER OR CONTINUE TEACHING

SEC. 312. (a) Subsection (a) of section 402 of the National Defense Education Act of 1958 is amended by inserting "(1)" after "except" in the second sentence thereof, and by inserting immediately before the period at the end of such sentence the following: ", and (2) that the Commissioner may provide by regulation for the granting of such fellowships for a period of study not to exceed one academic year (or one calendar year in the case of fellowships to which clause (1) applies) in addition to the maximum period otherwise applicable, under special circumstances in which the purposes of this title would most effectively be served thereby".

(b) The Commissioner may in his discretion increase, in accordance with the amendment made by subsection (a), the maximum periods of fellowships awarded prior to the date of enactment of this Act.

(c) The second sentence of section 403(a) is amended by striking out the period at the end of clause (2) of such sentence and inserting ", and" in lieu thereof; and by adding the following new clause:

> "(3) that the application contains satisfactory assurance that the institution will make reasonable continuing efforts to encourage recipients of fellows under this title, enrolled in such program, to teach or continue to teach in institutions of higher education."

(d) The amendment made by subsection (c) of this section shall apply with respect to fellowships awarded on or after the date of enactment of this Act.

REQUIRING STIPENDS TO BE SET IN AN AMOUNT CONSISTENT WITH THOSE AWARDED FOR COMPARABLE FELLOWSHIPS

20 USC 464.

SEC. 313. (a) Section 404 of the National Defense Education Act of 1958 is amended to read as follows:

"FELLOWSHIP STIPENDS

"SEC. 404. (a) The Commissioner shall pay to persons awarded fellowships under this title such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

"(b) The Commissioner shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amounts as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported programs, except that such amount shall not exceed $3,500 per academic year for any such person."

82 Stat. 1057.

(b) The amount of any stipend payable with respect to a fellowship awarded prior to the date of enactment of this Act shall not, during the period for which such fellowship was awarded, be less with respect to any year of study than the amount that would in the absence of the amendment made by subsection (a) of this section be payable with respect to such year.

EQUITABLE DISTRIBUTION OF FELLOWSHIPS UNDER TITLE IV OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

20 USC 463.

SEC. 314. Section 403 of the National Defense Education Act of 1958 is amended by inserting at the end thereof the following new subsection:

"(e) In order to provide training opportunities in those areas of the Nation which have greater need for increased numbers of highly qualified persons to teach in institutions of higher education, the Commissioner shall seek to achieve an equitable geographical distribution of graduate programs approved under this section throughout the Nation, based upon such factors as student enrollments in institutions of higher education and population."

PART C—GUIDANCE, COUNSELING, AND TESTING (TITLE V)

EXTENSION OF PROGRAM

Appropriation.
20 USC 481.

SEC. 321. (a) Section 501 of the National Defense Education Act of 1958 is amended by striking out "and" after "June 30, 1966," and by inserting after "two succeeding fiscal years," the following: "$25,000,000 for the fiscal year ending June 30, 1969, $40,000,000 for the fiscal year ending June 30, 1970, and $54,000,000 for the fiscal year ending June 30, 1971,".

(b)(1) The second sentence of section 504(a) of such Act is amended by striking out "eight".

20 USC 484.

(2) Section 504(b) of such Act is amended by striking out "nine".

SHORT-TERM TRAINING SESSIONS IN GUIDANCE AND COUNSELING

SEC. 322. Section 503(a)(2) of the National Defense Education Act of 1958 is amended by inserting before the period at the end thereof a comma and the following: "and such programs may include, at the discretion of such State agency, short-term training sessions for persons engaged in guidance and counseling in elementary and secondary schools, junior colleges, and technical institutes in such State".

20 USC 483.

PART D—LANGUAGE DEVELOPMENT (TITLE VI)

EXTENSION OF PROGRAM

SEC. 331. (a) Subsections (a) and (b) of section 601 of the National Defense Education Act of 1958 are each amended by striking out "1968" and inserting in lieu thereof "1971".

20 USC 511.

(b) Section 603 of such Act is amended by striking out "and" before "$18,000,000" and by inserting after "1968," the following: "$16,050,000 for the fiscal year ending June 30, 1969, $30,000,000 for the fiscal year ending June 30, 1970, and $38,500,000 for the fiscal year ending June 30, 1971".

Appropriation.
20 USC 513.

PART E—EDUCATIONAL MEDIA (TITLE VII)

82 Stat. 1058.

SPECIAL PERSONNEL

SEC. 341. Section 762 of the National Defense Education Act of 1958 is amended by striking out "television, radio, motion pictures, and other related media of communication" and inserting in lieu thereof "new media and technology".

20 USC 562.

PART F—AMENDMENT TO MISCELLANEOUS PROVISIONS (TITLE X)

PROVISION IN NATIONAL DEFENSE EDUCATION ACT OF 1958 FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS, FOR SCHOOLS OF DEPARTMENT OF INTERIOR FOR INDIAN CHILDREN, AND FOR OVERSEAS DEPENDENT SCHOOLS OF DEPARTMENT OF DEFENSE

SEC. 351. (a) Section 1008 of the National Defense Education Act of 1958 is amended to read as follows:

20 USC 588.

"ALLOTMENTS TO TERRITORIES AND POSSESSIONS

"SEC. 1008. The amounts reserved by the Commissioner under sections 302, 312, and 502 shall, in accordance therewith, be allotted among—

20 USC 442, 482;
Ante, p. 1054.

"(A) Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for the type of assistance furnished under the part or title in which the section appears, and

"(B) in the case of amounts so reserved under sections 302 and 502, (i) the Secretary of the Interior, according to the need for such assistance in order to effectuate the purposes of such part or title in schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance in order to effectuate the purposes of such part or title in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

(b) Sections 302(a)(1) and 502(a) of such Act are each amended by striking out "2 per centum thereof, as he may determine for allotment as provided in section 1008" and inserting in lieu thereof "3 per centum thereof, as he may determine for allotment as provided in section 1008(A), and such amount, not in excess of 1 per centum thereof, as he may determine for allotment as provided in section 1008(B)".

20 USC 403.

(c) Section 103(a) of such Act is amended (1) by striking out "or" each time it appears before "the Virgin Islands", (2) by inserting after "the Virgin Islands," as it first appears "and, for the purposes of titles II, III, and V, the Trust Territory of the Pacific Islands,", (3) by striking out "(1) as used in section 205(b)(3) of this title such term includes the Trust Territory of the Pacific Islands and (2)", and (4) by inserting before the period at the end thereof ", or the Trust Territory of the Pacific Islands".

Effective date.

(d) The amendments made by this section shall be effective with respect to fiscal years ending after June 30, 1968.

82 Stat. 1059.

TITLE IV—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963

EXTENSION OF PROGRAM

Appropriation.
20 USC 711.

SEC. 401. (a)(1) Subsection (a) of section 101 of the Higher Education Facilities Act of 1963 is amended by striking out "during the fiscal year ending June 30, 1964, and each of the seven succeeding fiscal years".

(2) Subsection (b) of section 101 of such Act is amended by striking out so much of the first sentence thereof as follows "June 30, 1968, and" and inserting in lieu thereof "$936,000,000 for each of the succeeding fiscal years ending prior to July 1, 1971.".

(3) Subsection (b) of section 105 of such Act is amended (A) by striking out "two succeeding fiscal years" in the first sentence thereof and inserting in lieu thereof "four succeeding fiscal years", and (B) by striking out the last sentence of such subsection. 20 USC 715.

(4) Section 103(b)(1) and section 104(b)(1) of such Act are each amended by striking out the last sentence. 20 USC 713, 714. Appropriation. 20 USC 731.

(b) Section 201 of the Higher Education Facilities Act of 1963 is amended—

(1) in the first sentence, by striking out ", during the fiscal year ending June 30, 1964, and each of the seven succeeding fiscal years,"; and

(2) by striking out so much of the second sentence as follows "and the sum of $120,000,000" and inserting in lieu thereof "for each of the succeeding fiscal years ending prior to July 1, 1971.".

(c) Subsection (c) of section 303 of the Higher Education Facilities Act of 1963 is amended— 20 USC 743.

(1) in the first sentence thereof by striking out ", during the fiscal year ending June 30, 1964, and each of the seven succeeding fiscal years,"; and

(2) in the second sentence thereof by striking out so much of such sentence as follows "$400,000,000" and inserting in lieu thereof "for each of the succeeding fiscal years ending prior to July 1, 1971.".

BROADENING ELIGIBILITY FOR CONSTRUCTION GRANTS

SEC. 402. (a) Effective with respect to fiscal years ending on or after June 30, 1969—

(1) Section 106 (1) and (2) of the Higher Education Facilities Act of 1963, as amended, is amended by inserting after "enrollment capacity" in each case the following: ", capacity to provide needed health care to students or personnel of the institution,". 20 USC 716.

(2) The second sentence of section 107(a) of such Act is amended by striking out "and" before "(2)" and by inserting before the period at the end thereof the following: ", and (3) shall give consideration to expansion of capacity to provide needed health care to students and institutional personnel". 20 USC 717.

(3) Section 108(b) of such Act is amended by striking out "and", at the end of paragraph (5), redesignating paragraph (6) as paragraph (7) and inserting after paragraph (5) the following: 20 USC 718.

"(6) in the case of a project to construct an infirmary or other facility designed to provide primarily for outpatient care of students and institutional personnel, he determines that no financial assistance will be provided such project under title IV of the Housing Act of 1950; and". 12 USC 1749–1749c.

82 Stat. 1060.
20 USC 743.

(4) Section 303(a) is amended by striking out "and" at the end of clause (2), and by inserting before the period the following: ", and (4) that, in the case of a project to construct an infirmary or other facility designed to provide primarily for outpatient care of students and institutional personnel, no financial assistance will be provided such project under title IV of the Housing Act of 1950".

12 USC 1749-1749c.
20 USC 751.

(5) The first sentence of section 401(a) of such Act is amended by inserting before the period at the end thereof the following: "; and, for purposes of titles I and III, such term includes infirmaries or other facilities designed to provide primarily for outpatient care of students and institutional personnel".

20 USC 716.

(b)(1) Section 106 of the Higher Education Facilities Act of 1963 is amended by inserting at the end thereof the following new sentence: "If the Commissioner finds that the student enrollment capacity of an institution would decrease if an urgently needed academic facility is not constructed, construction of such a facility may be considered, for the purposes of this section, to result in expansion of the institution's student enrollment capacity.".

Effective date.

(2) The amendment made by paragraph (1) of this subsection shall be effective only with respect to grants made from appropriations for fiscal years beginning after June 30, 1969.

ANNUAL INTEREST GRANTS

20 USC 741-745.

SEC. 403. Title III of the Higher Education Facilities Act of 1963 is amended by adding at the end thereof the following new section:

"ANNUAL INTEREST GRANTS

"SEC. 306. (a) To assist institutions of higher education and higher education building agencies to reduce the cost of borrowing from other sources for the construction of academic facilities, the Commissioner may make annual interest grants to such institutions and agencies.

"(b) Annual interest grants to an institution of higher education or higher education building agency with respect to any academic facility shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount not greater than the difference between (1) the average annual debt service which would be required to be paid, during the life of the loan, on the amount borrowed from other sources for the construction of such facilities, and (2) the average annual debt service which the institution would have been required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were the maximum rate specified in section 303(b): *Provided*, That the amount on which such grant is based shall be approved by the Secretary.

"(c) (1) There are hereby authorized to be appropriated to the Commissioner such sums as may be necessary for the payment of annual interest grants to institutions of higher education and higher education building agencies in accordance with this section.

"(2) Contracts for annual interest grants under this section shall not be entered into in an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual interest grants which may be paid to institutions of higher education and higher education building agencies in any year pursuant to contracts entered into under this section shall not exceed $5,000,000, which amount shall be increased by $6,750,000 on July 1, 1969, and by $13,500,000 on July 1, 1970.

"(d) Not more than 12½ per centum of the funds provided for in this section for grants may be used within any one State.

"(e) No annual interest grant pursuant to this section shall be made unless the Commissioner finds (1) that not less than 10 per centum of the development cost of the facility will be financed from non-Federal sources, (2) that the applicant is unable to secure a loan in the amount of the loan with respect to which the annual interest grant is to be made, from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (3) that the construction will be undertaken in an economical manner and that it will not be of elaborate or extravagant design or materials. For purposes of this section, a loan with respect to which an interest grant is made under this section shall not be considered financing from a non-Federal source. For purposes of the other provisions of this Act, such a loan shall be considered financing from a non-Federal source." 82 Stat. 1061.

EXTENDING AUTHORIZATION FOR HIGHER EDUCATION FACILITIES CONSTRUCTION ASSISTANCE IN MAJOR DISASTER AREAS

SEC. 404. Section 408(a) of the Higher Education Facilities Act of 1963 is amended by striking out "July 1, 1967," and inserting in lieu thereof "July 1, 1971,". 20 USC 758.

INCREASING FEDERAL SHARE

SEC. 405. (a) Sections 107(b) and 401(d) of the Higher Education Facilities Act of 1963 are each amended (1) by striking out "33⅓ per centum" and inserting in lieu thereof "50 per centum" and (2) by striking out "40 per centum" and inserting in lieu thereof "50 per centum". 20 USC 717, 751.

(b) Section 202(b) of such Act is amended by striking out "33⅓ per centum" and inserting in lieu thereof "50 per centum". 20 USC 732.

MINIMUM TITLE I ALLOTMENTS TO STATES AND TERRITORIES

SEC. 406. (a) Title I of the Higher Education Facilities Act of 1963 is amended by inserting after the second sentence of section 103 and after the first sentence of section 104 the fol- 20 USC 713, 714.

lowing: "The amount allotted to any State under the preceding sentence for any fiscal year which is less than $50,000 shall be increased to $50,000, the total of increases thereby required being derived by proportionately reducing the amount allotted to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any such remaining States from being thereby reduced to less than $50,000."

Effective date. (b) The amendments made by this section shall apply with respect to fiscal years ending on or after June 30, 1969.

TITLE V—MISCELLANEOUS

EXTENSION OF PROGRAM OF FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND ARTS

20 USC 961. SEC. 501 (a) The first sentence of section 12 of the National Foundation on the Arts and the Humanities Act of 1965 is *amended (1) by striking out "two succeeding years" and inserting* in lieu thereof "five succeeding fiscal years", and (2) by striking out all that follows "$500,000" and inserting in lieu thereof a period.

(b) Such section is further amended, (1) in subsection (b), by striking out "allotted" and inserting in lieu thereof "reserved, allotted, and reallotted"; and (2) in subsection (f), by striking out "allot and".

82 Stat. 1062.

EXTENSION OF INTERNATIONAL EDUCATION ACT OF 1966

20 USC 1176. SEC. 502. Section 105(a) of the International Education Act of 1966 is amended by striking out "the fiscal year ending June 30, 1969," and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1971,".

AGE QUOTAS IN YOUTH WORK AND TRAINING PROGRAMS

42 USC 2741. SEC. 503. Section 124 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following:

42 USC 2740. "(f) In the case of a program under section 123(a)(1), the Director shall not limit the number or percentage of the participants in the program who are fourteen or fifteen years of age."

ELIGIBILITY FOR STUDENT ASSISTANCE

SEC. 504. (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(c) The programs referred to in subsections (a) and (b) are as follows:

(1) The student loan program under title II of the National Defense Education Act of 1958.

20 USC 421–429.

(2) The educational opportunity grant program under part A of title IV of the Higher Education Act of 1965.

20 USC 1061–1069.

(3) The student loan insurance program under part B of title IV of the Higher Education Act of 1965.

20 USC 1071–1086; *Ante*, p. 1020.

(4) The college work-study program under part C of title IV of the Higher Education Act of 1965.

Ante, p. 1028.

(5) Any fellowship program carried on under title II, III, or V of the Higher Education Act of 1965 or title IV or VI of the National Defense Education Act of 1958.

20 USC 1021–1041, 1051–1055, 1091–1119b–2; *Ante*, pp. 1038, 1041.
20 USC 461–465, 511–513.

(d) (1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

82 Stat. 1063.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

RULEMAKING REQUIREMENTS

Publication in Federal Register.

SEC. 505. No standard, rule, regulation, or requirement of general applicability prescribed for the administration of this Act or any Act amended by this Act may take effect until 30 days after it is published in the Federal Register.

DUPLICATION OF BENEFITS

SEC. 506. No grant, award, or loan of assistance to any student under any Act amended by this Act shall be considered a duplication of benefits for the purposes of section 1781 of title 38, United States Code.

80 Stat. 21.

FINANCIAL AID TO STUDENTS NOT TO BE TREATED AS INCOME OR RESOURCES UNDER CERTAIN PROGRAMS

42 USC 301, 601, 1201, 1351, 1381, 1396.

SEC. 507. For the purpose of any program assisted under title I, IV, X, XIV, XVI or XIX of the Social Security Act, no grant or loan to any undergraduate student for education purposes made or insured under any program administered by the Commissioner of Education shall be considered to be income or resources.

PRESIDENTAL RECOMMENDATION WITH RESPECT TO POST-SECONDARY EDUCATION FOR ALL

SEC. 508. On or before December 31, 1969, the President shall submit to the Congress proposals relative to the feasibility of making available a post-secondary education to all young Americans who qualify and seek it.

11. VOCATIONAL EDUCATION AMENDMENTS OF 1968

(Public Law 90–576, approved October 16, 1968)

A. LEGISLATIVE HISTORY

In 1968 hearings on education legislation were held before the Subcommittee on Education of the Committee on Labor and Public Welfare on March 12, 13, 25, 26, 27, and 28 in Washington, D.C.; on March 29 in Austin, Tex.; and on April 2, 3, 4, and 5 in Washington, D.C. The record of the hearings was printed in eight parts, including appendixes, totaling 6,584 pages. The hearings related to (1) S. 3098, a bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts; and (2) S. 3099, a bill to amend the Vocational Education Act of 1963, and for other purposes, and related bills. No further action was taken on S. 3098 or S. 3099.

Hearings on H.R. 16460, a bill to amend the Vocational Education Act of 1963, and for other purposes, were held before the General Subcommittee on Education of the (House) Committee on Education and Labor, in Washington, D.C., May 1, 2; in Los Angeles, Calif., May 10; Seattle, Wash., May 11; and in Washington, D.C., May 14, 15, and 16, 1968. The record of the hearings was printed in two parts, including an appendix, totaling 1,078 pages. No further action was taken on H.R. 16460.

H.R. 18366, entitled the "Vocational Education Amendments of 1968," was introduced on July 8, 1968, by Representative Carl D. Perkins, of Kentucky, for himself and 24 other Members of the House. The bill was referred to the Committee on Education and Labor. It was reported from that committee, without amendments, on July 8, 1968 (H. Rept. 1647).

S. 3770, entitled the "Vocational Education Amendments of 1968," was introduced on July 11, 1968, by Senator Wayne Morse, of Oregon. The bill was referred to the Committee on Labor and Public Welfare. It was reported from that committee on July 11, 1968 (S. Rept. 1386).

Under suspension of the rules, H.R. 18366 passed the House on July 15, 1968. In the Senate, it was ordered placed on the calendar on July 15, 1968. The bill passed the Senate, amended, in lieu of S. 3770, and the Senate asked for a conference, on July 17, 1968. On September 24, 1968, the House agreed to a conference. The conference report was filed on October 2, 1968 (H. Rept. 1938) and the Senate agreed to the conference report on that date. On October 3, 1968, the House agreed to the conference report. The act was approved on October 10, 1968, and became Public Law 90-576.

B. Some Press Comments

The *New York Times* of October 17, 1968, reported that on October 16 President Johnson had "signed into law a sweeping overhaul of the vocational education program, authorizing $3 billion over 3 years starting July 1." In this connection the *Times* reported that:

> Mr. Johnson said his main dream as President was to advance education among all people. He said he wanted every human being to have an opportunity to get all the education that he or she could take.

A "fact sheet" on *Vocational Education Amendments of 1968*, released by the U.S. Department of Health, Education, and Welfare on October 16, 1968 commented on the act in part as follows:

> The Vocational Education Amendments of 1968 authorize programs which will deal with the dilemmas facing the United States today and its changing world of work. Old jobs have disappeared or have been altered; new ones are emerging. Relocations of industry and shifts in market demands have further complicated the labor market. In addition, jobs for which physical strength and untrained minds were sufficient have declined, while jobs requiring perfected skills and advanced education have increased.
>
> The Vocational Education Amendments of 1968 provide a way to bring about necessary changes to adapt vocational education to new manpower needs. This program in operation would affect over 25 million people a year. The Act is also designed to help the hard-to-reach and hard-to-teach. It places resources and programs flexibility at the discretion of State and local school agencies and is designed to focus on the major deficiencies of the past.

* * * * * * *

On October 18, 1968, *Higher Education and National Affairs*, a publication of the American Council on Education, presented Public Law 576 in a nutshell as follows:

The new Vocational Education Act rewrites and expands previous vocational education legislation, and in the process gives more emphasis to post-secondary training both of students and their teachers. All told, the Act authorizes $3.1 billion for vocational education programs over a four-year period, fiscal 1969 through 1972. The Act calls for the establishment of national and state advisory councils on vocational education with representatives of post-secondary vocational education. It also requires state plans for the development of vocational education which may include cooperative arrangements with higher education institutions.

The Act also provides for research and curriculum development grants to colleges and universities; for exemplary projects designed to broaden occupational opportunities for young people; for residential vocational education schools; for cooperative work-study programs; for advanced study by vocational educators for periods up to three years; and for institutes for vocational teachers, supervisors, coordinators, and administrators.

Following is an excerpt from an article in the *American Vocational Journal* for November 1968.[1]

The Vocational Education Amendments of 1968, signed by President Johnson on October 16, represent the most comprehensive legislation ever enacted for assistance to vocational-technical education. When implemented, these amendments will more nearly bring to reality the ambitious goal set forth in the Declaration of Purpose: to provide vocational offerings so that "persons of all ages in all communities of the state will have ready access to vocational training or retraining which is of high quality, which is realistic in the light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training"

It is very significant that the 1968 Amendments were unanimously approved by the U.S. House of Representatives and the Senate. This fact indicates that Congress recognizes the nation's need to expand and improve vocational-technical education programs. The unanimous support of the Congress is an expression of confidence in vocational educators. It also implies a strong belief that vocational education can have a greater impact on some of the human, social, and economic problems of our nation.

C. Digest of the Act

Following is a digest of Public Law 90-576.

VOCATIONAL EDUCATION AMENDMENTS

Title I—Vocational education—General provisions.—Authorizes appropriations of $355 million for the fiscal year ending June 30, 1969, $565 million for the fiscal year ending June 30, 1970, $675 million for the fiscal year ending June 30, 1971, $675 million for the fiscal year ending June 30, 1972, and $565 million for the fiscal year ending June 30, 1973, and each succeeding fiscal year. Provides that of the sums appropriated for any fiscal year, 90 percent shall be for grants for State vocational education programs, 10 percent for grants for research and training in vocational education. Authorizes the appropriation of such sums as may be necessary to pay the cost of administering State plans and of the activities of advisory councils under this title and of evaluation and dissemination activities required by the title.

Authorizes $5 million to be appropriated annually to the Secretary of Labor to finance national, regional, State, and local studies and projections of manpower needs for the use and guidance of Federal, State, and local officials, and of advisory councils charged with responsibility under this title.

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[1] **Allen, Mary P. "Vast New Resources for Vocational Technical Education." American Vocational Journal, October 1968. P. 45.**

Provides for allotting the sums appropriated for any fiscal year on the basis of per capita income and the number of persons in the various age groups, so that, as multiplied by the State's allotment ratio, 50 percent is based on the population aged 15 through 19, 20 percent on the population aged 20 through 24, and 15 percent on the population aged 25 through 65. Each State's allotment ratio is determined by subtracting from 1.00 the product of 0.50 multiplied by the quotient obtained by dividing the State per capita income by the national per capita income.

Allows no State to have an allotment ratio higher than 0.60 or lower than 0.40. The allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be 0.60.

Creates a National Advisory Council on Vocational Education consisting of 21 members appointed by the President.

Directs the National Council: (1) To advise the Commissioner concerning the administration of, general regulations for, and operation of, vocational education programs; (2) to review the administration and operation of this title, including the effectiveness of such programs in meeting their purposes; (3) to conduct independent evaluations of programs and disseminate the results thereof; (4) to make recommendations for the improvement of administration and operations, including recommendations for legislative changes; and (5) to prepare an annual report on its evaluations, recommendations, and other activities and on vocational education and its effectiveness in meeting the need for vocational education throughout the Nation and submit such report to the Secretary for transmittal to Congress.

Provides that any State desiring to receive a grant under this title for any fiscal year shall establish a State advisory council.

Provides that the State advisory council shall evaluate vocational education programs, services, and activities and shall prepare and submit an annual evaluation report through the State board to the Commissioner and to the National Advisory Council on Vocational Education.

States that nothing in this title shall be construed to authorize any payment for religious worship or instruction, or for the construction, operation, or maintenance of any facility to be used for such purposes.

State vocational education programs.—Authorizes the Commissioner to make grants to the States to assist them in conducting vocational education programs for persons of all ages in all communities of the States, which are designed to insure that education and training programs for career vocations are available to all individuals who desire and need such education and training.

Provides that grants to States may be used for a number of specified purposes.

Includes in the State plan requirements, provisions requiring a long-range program plan and requiring an annual program plan. Requires that the annual program plan, to be submitted each year with the State plan, would describe the content of, and the allocation of funds to, programs, services, and activities to be carried out under the State plan for the fiscal year ahead (whether or not with Federal funds) and indicate how and to what extent these programs, services, and activities will carry out the objectives set forth in the long-range program plan, and indicate how and to what extent allocations of Federal funds allotted to the State take into consideration the criteria for allocation of Federal funds.

Adds to the Vocational Education Act of 1963, a particular reference to new and emerging manpower needs and job opportunities on the local, State, and National levels.

Provides that Federal funds will not be allocated to local educational agencies in a manner, such as the matching of local expenditures at a uniform matching ratio throughout the State except to the extent that the considerations required in the above-mentioned criteria are uniform throughout the State. Requires that applications from local educational agencies for funds to be developed in consultation with persons representative of the educational and training resources available to the area to be served by the applicant, show promise of providing the persons to be served with education programs designed to make substantial progress toward preparing such person for a career, include a comprehensive plan for meeting the vocational eduaction needs in the area or community served by such agency, and indicate how and to what extent the vocational education programs, services, and activities proposed in the application will meet the needs set forth in such comprehensive plan. Provides that no local educational agency which is making a reasonable tax effort, as defined by regulations, will be denied funds for the establishment of new vocational education programs solely because the local educational agency is unable to pay the non-Federal share of the cost of such new programs.

Requires that the State plan provide minimum qualifications for teachers, teacher-trainees, supervisors, directors, and other personnel having responsibilities for vocational education in the State and the policies and procedures developed to improve the qualifications of such personnel and to insure that such qualifications continue to reflect a direct relationship with the need for personnel in vocational education programs carried out under the State plan.

Requires the State plan to provide for cooperative arrangement with other agencies, organizations, and institutions concerned with manpower needs and job opportunities, such as business and labor organizations, institutions of higher education, and community action agencies.

Sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this title.

Provides that any local educational agency dissatisfied with final action with respect to any application for funds under this title shall be given reasonable notice and opportunity for a court review of that action.

Provides assurance that the requirements will be complied with on all construction projects in the State assisted under this title.

Provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Includes provisions which shall assure that funds authorized by this title will not be used for any program of vocational education (except homemaking programs) which cannot be demonstrated to (A) prepare students for employment or (B) be necessary to prepare individuals for successful completion of such program, or (C) be of significant assistance to individuals enrolled in making an informed and meaningful occupational choice.

Provides that the Commissioner shall not approve a State plan until he has made specific findings as to the compliance of such plan with the requirements of this part and he is satisfied that adequate procedures are set forth to insure that the assurances and provisions of such plan will be carried out.

Provides that whenever the Commissioner, after opportunity for hearing has been provided, finds that there has been a failure to comply substantially with any requirement in the plan of that State, or with any requirement in the application of a local educational agency, further payments shall not be made to the State under this title, or, if so determined by the Commissioner, the State may not make further amendments to the local educational agencies affected by the failure, until he is satisfied that there is no longer any such failure to comply.

Contains provisions for judicial review of the Commissioner's action with respect to State plans.

Provides for judicial review of the final action of a State board if the local educational agency is dissatisfied with the final action of the State board with respect to approval of an application by the local agency.

Provides that the Commissioner shall pay to each State an amount equal to 50 percent of the State and local expenditures in carrying out its State plan with certain exceptions.

Provides that no payments shall be made to any local educational agency unless the Commissioner finds that the combined fiscal effort of that local agency and the State with respect to the provision of vocational education by that agency for the preceding fiscal year was not less than such combined fiscal effort for the second preceding fiscal year; and no payments shall be made to any State unless the Commissioner finds that the fiscal effort of that State for vocational education for the preceding fiscal year was not less than it was for the second preceding fiscal year.

Research and Training in Vocational Education.—Provides that, from 50 percent of the sums available to each State for grants under this part, the Commissioner is authorized to make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and, with the approval of the appropriate State board, to local educational agencies in that State for specified research and training in vocational education.

The remaining 50 percent of the sums available to each State for the purposes of this part shall be used by its State board, in accordance with its State plan, (1) for paying up to 75 percent of the costs of the State research coordination unit, and (2) for grants to colleges and universities, and other public or nonprofit private agencies and institutions, and local educational agencies and contracts with private agencies, organizations, and institutions to pay 90 percent of the costs of programs and projects for research and training programs, and related activities described in the act.

Authorizes grants and contracts to be used for research in vocational education; training programs designed to familiarize persons involved in vocational education with research findings and successful pilot and demonstration projects in vocational education; experimental, developmental, and pilot programs and projects designed to test the effectiveness of research findings; demonstration projects; the development of new vocational education curriculums; and projects in the development of new careers and occupations.

Provides that an application for a project must be reviewed by a panel of experts who are not employees of the Federal Government before the Commissioner may approve it.

Exemplary Programs and Projects.—Authorizes $15,000,000 for 1969, $57,500,000 for 1970, and $75,000,000 for each of the 2 succeeding fiscal years to enable the Commissioner to carry out the provisions of this part.

From the sums appropriated pursuant to this part the Commissioner shall reserve such amount, but not in excess of 3 percent thereof, as he may determine and shall allot such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territories of the Pacific Islands according to their respective needs for assistance under this part.

From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each such State an amount which bears the same ratio to any residue of such remainder as the population aged 15 to 19, both inclusive, in the State bears to the population of such ages in all such States.

From 50 percent of the sums allocated to each State for the purposes of this part, the Commissioner is authorized to make grants to or contracts with State boards or local educational agencies for the purpose of stimulating and assisting in the development, establishment, and operation of programs or projects designed to carry out the purposes of this part. The Commissioner also may make, in such State from such sums, grants to other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions, when such grants or contracts will make an especially significant contribution to attaining the objectives of this part of the law.

The State board may use the remaining 50 percent of such sums for making grants to local educational agencies or other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions including business and industrial concerns, upon such terms and conditions consistent with the provisions of this part and with its State plan approved, as it determines will most effectively carry out the development, establishment, and operation of exemplary and innovative occupational education programs or projects designed to serve as models for use in vocational education programs.

Grants or contracts pursuant to this part may be made, upon terms and conditions consistent with the provisions of this part, to pay all or part of the cost of planning and developing exemplary programs or projects and other described activities.

Residential Vocational Education.—Authorizes the Commission to make grants, out of sums appropriated to State boards, to colleges and universities, and with the approval of the appropriate State board to public educational agencies, organizations or institutions for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least 15 years of age and less than 21 years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making such grants, the Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain, as nearly as practicable, an equitable geographical distribution of such schools.

Authorizes for the purpose of this section $25 million for 1969, $30 million for 1970, and $35 million each for 1971, and for the succeeding fiscal year.

Consumer and Homemaking Education.—Authorizes appropriations for purposes of this section of $25 million for fiscal year 1970, $35 million for fiscal year 1971, and $50 million for fiscal year 1972.

For purposes of this part the State plan shall set forth a program under which Federal funds paid to a State from its allotment will be expended solely for (1) educational programs which (A) encourage home economics to give greater consideration to social and cultural conditions and needs, especially in economically depressed areas, (B) encourage preparation for professional leadership, (C) are designed to prepare youths and adults for the role of homemaker, or to contribute to the employability of such youths and adults in the dual role of homemaker and wage earner, (D) include consumer education programs, and (E) are designed for persons who have entered, or are preparing to enter, the work of the home, and (2) ancillary services, activities, and other means of assuring quality in all homemaking education programs, such as teacher training and supervision, curriculum development research, program evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and State administration and leadership.

From a State's allotment under this section for the fiscal year ending 1970, and for each fiscal year thereafter, the Commissioner shall pay to such State an amount equal to 50 percent of the amount expended for the purposes set forth, except that, for the fiscal year 1970, and the 2 succeeding fiscal years, the Commissioner shall pay an amount equal to 90 percent of the amount used in areas described. No State shall receive payments under this section for any fiscal year in excess of its allotment for such fiscal year.

Cooperative Vocational Education Programs.—Provides financial assistance for personnel.to coordinate cooperative work-study programs, to provide instruction related to the work experience, and for other purposes.

Authorizes to be appropriated for 1969, $20 million; for 1970, $35 million; for 1971, $50 million; and for 1972, $75 million, for making grants to the States for programs of vocational education designed tc prepare students for employment through cooperative work-study arrangements.

Provides that, in order to participate in the program, a State must, through its State board, submit a State plan to the Commissioner setting forth policies and procedures to be used in establishing cooperative work-study programs through local educational agencies and public and private employers.

WORK-STUDY PROGRAMS FOR VOCATIONAL EDUCATION STUDENTS

Authorizes to be appropriated $35 million for 1969 and $35 million for 1970 for work-study programs.

From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall allot to each State an amount which bears the same ratio to such sums for such year as the population aged 15 to 20, inclusive, of the State, in the preceding fiscal year bears to the population aged 15 to 20, inclusive, of all the States in such preceding year.

To be eligible to participate in the program authorized by this part, a State shall submit as a part of its State plan through its State board to the Commissioner a plan, in such detail as the Commissioner determines necessary.

From a State's allotment under this section for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, the Commissioner shall pay to such State an amount equal to 80 percent of (1) the amount expended for compensation of students employed pursuant to work-study programs under the part of the State's plan approved under this act, plus (2) an amount, not to exceed 1 percent of such allotment, or $10,000, whichever is the greater, expended for the development of such plan and for the administration of such plan after its approval by the Commissioner.

CURRICULUM DEVELOPMENT IN VOCATIONAL AND TECHNICAL EDUCATION

Authorizes to be appropriated $7,000,000 for 1969, and $10,000,000 for 1970, for curriculum development.

Sums appropriated shall be used by the Commissioner, after consultation with the appropriate State agencies and the National Council, to make grants to or contracts with colleges or universities, State boards, and other public or nonprofit private agencies and institutions, or contracts with public or private agencies, organizations, or institutions.

Title II—Vocational Educational Leadership and Professional Development Amendment of Higher Education Act of 1695.—Provides training and development programs for vocational education personnel and provides for leadership development awards.

Provides exchange programs and interservice education for vocational-education teachers, supervisors, coordinators, and administrators.

Miscellaneous Provisions.—Funds appropriated for any fiscal year to carry out any of the programs for which this title is applicable shall remain available for obligation until the end of such fiscal year.

The Commissioner of Education—

(1) shall prepare and disseminate to all appropriate State and local agencies and institutions and others concerned with education, complete information on programs of Federal assistance;

(2) shall inform the public on federally supported programs for education by providing information to communications media; such dissemination activity shall include the development and issuance of materials which inform teachers, students, the disadvantaged, and dropouts of new and expanding opportunities for education, together with materials specifically directed to institutions or individuals vested with responsibility for one or more programs administered by the Commissioner;

(3) shall develop, on both formal and informal bases, a close liaison for interchange of ideas and information with representatives of American business and with service, labor, or other organizations, both public and private, to advance American education;

(4) shall collect data and information on programs qualifying for assistance under programs administered by him for the purpose of obtaining objective measurements of the effectiveness achieved in carrying out the purposes of such programs;

(5) may upon request provide advice, counsel, technical assistance, and demonstrations to State educational agencies, local educational agencies, or institutions of higher education undertaking to initiate or expand programs in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

(6) shall prepare and disseminate to State educational agencies, local educational agencies, and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of programs administered by him; and

(7) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

The Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (A) in determining benefits available to such agencies and schools under Federal laws, and (B) in preparing applications and meeting other requirements for such benefits.

The Commissioner shall prepare and make available in such form as he deems appropriate a catalog of all Federal education assistance programs whether or not such programs are administered by him, to be transmitted to Congress within the first month of each regular session, together with a report setting forth the specific measures taken in the past year to simplify the various application forms and program

guidelines a potential beneficiary would use to benefit from each Federal education assistance program, and to coordinate, simplify application forms and program guidelines. The catalog shall—

(1) identify each such program, and include the name of the program, the authorizing statute, the specific Federal administering officials and a brief description of such program;

(2) set forth the availability of benefits and eligibility restrictions in each such program;

(3) set forth the budget requests for each such program, past appropriations, obligations incurred, the average assistance provided under each such program, and pertinent financial information indicating (A) the size of each such program for selected fiscal years, and (B) any funds remaining available;

(4) set forth the prerequisites, including the cost to the recipient of receiving assistance under each such program, and any duties required of the recipient after receiving benefits;

(5) identify appropriate officials, in Washington, D.C., as well as in each State and locality (if applicable), to whom application or reference for information for each such program may be made;

(6) set forth the application procedures;

(7) contain a detailed index designed to assist the potential beneficiary to identify all education assistance programs related to a particular need or category of potential beneficiaries;

(8) contain such other program information and data as the Commissioner deems necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal education assistance program.

There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each succeeding fiscal year ending prior to July 1, 1972, such sums as may be necessary to carry out the provisions of this section.

The Commissioner of Education shall make a study of the feasibility of consolidation of education programs in order to provide for more efficient use of Federal funds at the local level and to simplify application procedures for such funds and shall, within 1 year of the date of enactment of this act, submit to the Congress a report on the results of the study and any recommendations for legislation which would facilitate consolidation of education programs.

The Commissioner of Education is authorized and directed to make a special study of the means by which the existing Job Corps facilities and programs established under the Economic Opportunity Act of 1964 most effectively might, if determined feasible, be transferred to State or joint Federal-State operation in conjunction with the program of Residential Vocational Education authorized by part E of the Vocational Education Act of 1963.

The Commissioner shall consult with other Federal officers, State boards of vocational education, and such other individuals and organizations as he may deem necessary for this study, and shall make a report of his findings and recommendations to the appropriate committees of the Congress not later than March 1, 1969.

The President shall make a special study of whether the responsibility for administering the Headstart program established under the Economic Opportunity Act of 1964 should continue to be vested in the Director of the Office of Economic Opportunity, should be transferred to another agency of the Government, or should be delegated to another such agency pursuant to the provisions of section 602(d) of the aforementioned Economic Opportunity Act of 1964, and shall submit the findings of this study to the Congress not later than March 1, 1969.

D. TEXT OF THE LAW

Following is the text of Public Law 90-576.

AN ACT To amend the Vocational Education Act of 1963, and for other purposes

82 Stat. 1064.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Vocational Education Amendments of 1968.

SHORT TITLE

SECTION 1. This Act may be cited as the "Vocational Education Amendments of 1968".

TITLE I—AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

ACT AMENDMENTS

SEC. 101. (a) The Act of December 18, 1963, Public Law 88-210 (77 Stat. 403 et seq.), is amended—

20 USC 35 note.

(1) by redesignating parts B and C thereof as titles II and III and redesignating sections 21 through 28 and 31 through 33, and all references thereto, as sections 201 through 208 and 301 through 303, respectively;

(2) redesignating part A thereof as title I; and

(3) adding after the enacting clause, the following: "That title I of this Act may be cited as the 'Vocational Education Act of 1963'.".

Citation of title.

(b) Title I of such Act (as redesignated by subsection (a)) is amended to read as follows:

“TITLE I—VOCATIONAL EDUCATION

“Part A—General Provisions

“DECLARATION OF PURPOSE

“Sec. 101. It is the purpose of this title to authorize Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education, to develop new programs of vocational education, and to provide part-time employment for youths who need the earnings from such employment to continue their vocational training on a full-time basis, so that persons of all ages in all communities of the State—those in high school, those who have completed or discontinued their formal education and are preparing to enter the labor market, those who have already entered the labor market but need to upgrade their skills or learn new ones, those with special educational handicaps, and those in postsecondary schools—will have ready access to vocational training or retraining which is of high quality, which is realistic in the light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training.

“AUTHORIZATION OF APPROPRIATIONS

“Sec. 102. (a) There are authorized to be appropriated $355,000,000 for the fiscal year ending June 30, 1969, $565,000,000 for the fiscal year ending June 30, 1970, $675,000,000 for the fiscal year ending June 30, 1971, $675,000,000 for the fiscal year ending June 30, 1972, and $565,000,000 for the fiscal year ending June 30, 1973, and each succeeding fiscal year for the purposes of parts B and C of this title. From the amount appropriated pursuant to the preceding sentence and allotted to each State under section 103, 90 per centum shall be available for the purposes of part B and 10 per centum shall be available for the purposes of part C.

82 Stat. 1065.

“(b) There are also authorized to be appropriated $40,000,000 each for the fiscal years and ending June 30, 1969, and June 30, 1970, for the purposes of section 122(a)(4)(A). Nothing in this subsection shall be construed to affect the availability for such purposes, of appropriations made pursuant to subsection (a) of this section.

“(c) There are further authorized to be appropriated for each fiscal year such sums as may be necessary to pay the cost of the administration and development of State plans, the activities of advisory councils created under this title, and the evaluation and dissemination activities required pursuant to this title.

“ALLOTMENT AMONG STATES

“Sec. 103. (a)(1) From the sums appropriated pursuant to section 102(a) the Commissioner shall first reserve an amount, not to exceed $5,000,000 in any fiscal year, for transfer to the Secretary of Labor to finance (upon terms and conditions mutually satisfactory to the Commissioner and the Secretary of Labor) national, regional, State, and local studies and projections of manpower needs for the use and guidance of Federal, State, and local officials, and of advisory councils charged with responsibilities under this title.

"(2) The remainder of the sums appropriated pursuant to section 102(a) and all of the sums appropriated pursuant to section 102(b) shall be allotted among the States on the basis of the number of persons in the various age groups needing vocational education and the per capita income in the respective States as follows: The Commissioner shall allot to each State for each fiscal year—

"(A) An amount which bears the same ratio to 50 per centum of the sums being allotted, as the product of the population aged fifteen to nineteen, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(B) An amount which bears the same ratio to 20 per centum of the sums being allotted, as the product of the population aged twenty to twenty-four, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the states; plus

"(C) An amount which bears the same ratio to 15 per centum of the sum being allotted, as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(D) An amount which bears the same ratio to 5 per centum of the sums being allotted, as the sum of the amounts allotted to the State under subparagraphs (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under paragraphs (A), (B), and (C) for such year.

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which is less than $10,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under such subsection, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the program for which such amount has been allotted shall be available, from time to time, for reallotment, on such dates during such year as the Commissioner shall fix, on the basis of criteria established by regulation, first among programs authorized by other parts of this title within that State and then among other States, except that funds appropriated under section 102(b) may only be 82 Stat. 1066.

reallotted for the uses set forth in section 122(a)(4)(A). Any amount reallotted to a State under this subsection for any fiscal year shall remain available for obligation during the next succeeding fiscal year and shall be deemed to be part of its allotment for the year in which it is obligated.

"Allotment ratio."

"(d)(1) The 'allotment ratio' for any State shall be 1.00 less the product of—

"(A) 0.50, and

"(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40, and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be 0.60.

"(2) The allotment ratios shall be promulgated by the Commissioner for each fiscal year between July 1 and September 30 of the preceding fiscal year. Allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the three most recent consecutive fiscal years for which satisfactory data are available.

"Per capita income."

"(3) The term 'per capita income' means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.

"(4) For the purposes of this section population shall be determined by the Commissioner on the basis of the latest estimates available to him.

"NATIONAL AND STATE ADVISORY COUNCILS

National Advisory Council on Vocational Education. Establishment; membership.

"SEC. 104 (a)(1) There is hereby created a National Advisory Council on Vocational Education (hereinafter referred to as the 'National Council') consisting of twenty-one members appointed by the President, without regard to the civil service laws, for terms of three years, except that (i) in the case of the initial members, seven shall be appointed for terms of one year each and seven shall be appointed for terms of two years each, and (ii) appointments to fill vacancies shall be only for such terms as remain unexpired. The Council shall include persons—

"(A) representative of labor and management, including persons who have knowledge of the semiskilled, skilled, and technical employment in such occupational fields as agriculture, home economics, distribution and marketing, health, trades, manufacturing, office and service industries, and persons representative of new and emerging occupational fields,

"(B) familiar with manpower problems and administration of manpower programs,

"(C) knowledgeable about the administration of State and local vocational education programs, including members of local school boards.

"(D) experienced in the education and training of handicapped persons,

"(E) familiar with the special problems and needs of individuals disadvantaged by their socioeconomic backgrounds,

82 Stat. 1067.

"(F) having special knowledge of postsecondary and adult vocational education programs, and

"(G) representative of the general public who are not Federal employees, including parents and students, except that they may not be representative of categories (A) through (F), and who shall constitute no less than one-third of the total membership.

The National Council shall meet at the call of the Chairman, who shall be selected by the President, but not less than four times a year.

Duties.

"(2) The National Council shall—

"(A) advise the Commissioner concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this title;

Report, transmittal to Congress.

"(B) review the administration and operation of vocational education programs under this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary for transmittal to the Congress; and

"(C) conduct independent evaluations of programs carried out under this title and publish and distribute the results thereof.

Compensation, travel expenses

"(3) Members of the National Council who are not regular full-time employees of the United States shall, while serving on business of the National Council, be entitled to receive compensation at rates fixed by the President, but not in excess of $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

80 Stat. 499.

Technical assistance, appropriation.

"(4) The Council is authorized, without regard to the civil service laws, to engage such technical assistance as may be required to carry out its functions, and to this end there are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $100,000, and for the fiscal year ending June 30, 1970, and each of the two succeeding fiscal years, $150,000.

Vocational programs. Review, reports.

"(5) The National Council shall review the possible duplication of vocational education programs at the postsecondary and adult levels within geographic areas, and shall make annual reports of the extent to which such duplication exists, together with its findings and recommendations, to the Secretary. In making these reports, the Council shall seek the opinions of persons familiar with postsecondary and adult vocation education in each State from schools, junior colleges, technical institutes, and other institutions of higher education, as well as from State boards of education, State junior college boards, and State boards of higher education, and persons familiar with area schools, labor, business and industry, accrediting commissions, proprietary institutions, and manpower programs.

State advisory council.

"(b)(1) Any State which desires to receive a grant under this title for any fiscal year shall establish a State advisory council, which shall be appointed by the Governor or, in the case of States in which the members of the State board are elected, by such board, and which shall—

Membership.

"(A) include as members a person or persons—

"(i) familiar with the vocational needs and the problems of management and labor in the State, and a person or persons representing State industrial and economic development agencies.

82 Stat. 1068.

"(ii) representative of community and junior colleges and other institutions of higher education, area vocational schools, technical institutes, and post secondary or adult education agencies or institutions, which may provide programs of vocational or technical education and training,

"(iii) familiar with the administration of State and local vocational education programs, and a person or persons having special knowledge, experience, or qualifications with respect to vocational education and who are not involved in the administration of State or local vocational education programs,

"(iv) familiar with programs of technical and vocational education, including programs in comprehensive secondary schools,

"(v) representative of local educational agencies, and a person or persons who are representative of school boards,

"(vi) representative of manpower and vocational education agencies in the State, including a person or persons from the Comprehensive Area Manpower Planning System of the State,

"(vii) representing school systems with large contrations of academically, socially, economically, and culturally disadvantaged students.

"(viii) having special knowledge, experience, or qualifications, with respect to the special educational needs of physically or mentally handicapped persons, and

"(ix) representative of the general public, including a person or persons representative of and knowledgeable about the poor and disadvantaged, who are not qualified for membership under any of the preceding clauses of this paragraph:

Duties.

"(B) advise the State board on the development of and policy matters arising in the administration of the State plan submitted pursuant to part B of this title, including the preparation of long-range and annual program plans pursuant to paragraphs (4) and (5) of section 123(a);

"(C) evaluate vocational education programs, services, and activities assisted under this title, and publish and distribute the results thereof; and

Report.

"(D) prepare and submit through the State board to the Commissioner and to the National Council an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (i) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the program objective set forth in the long-range program plan and the annual program plan provided for in paragraphs (4) and (5) of section 123(a), and (ii) recommends such changes in such programs, services, and activities as may be warranted by the evaluations.

Certification.

"(2) Not less than ninety days prior to the beginning of any fiscal year ending after June 30, 1969, in which a State desires to receive a grant under this title, that State shall certify the establishment of, and membership of, its State Advisory Council to the Commissioner.

Meetings.

"(3) Each State Advisory Council shall meet within thirty days after certification has been accepted by the Commissioner and select from among its membership a chairman. The time, place, and manner of meeting shall be as provided by the rules of the State Advisory Council, except that such rules must provide for not less than one public meeting each year at which the public is given opportunity to express views concerning vocational education.

82 Stat. 1069.
Consultants.

"(4) State Advisory Councils are authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable them to carry out their functions under this title and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

Compensation, limitation.

"(c) From the sums appropriated pursuant to section 102(c) for any fiscal year, the Commissioner is authorized (in accordance with regulations) to pay to each State Advisory Council an amount equal to the reasonable amounts expended by it in carrying out its functions under this title in such fiscal year, except that the amount available for such purpose shall be equal to 1 per centum of the State's allotment under section 103, but such amount shall not exceed $150,000 and shall not be less than $50,000.

"FEDERAL ADMINISTRATION

"SEC. 105. Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

"LABOR STANDARDS

"SEC. 106. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267. 63 Stat. 108.

"LIMITATION ON PAYMENTS UNDER THIS TITLE

"SEC. 107. (a) Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction, or for the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

"(b) Funds appropriated pursuant to this title may be used for residential vocational education schools only to the extent that the operation of such schools is consistent with general regulations of the Commissioner concerning the operation of such schools, but in no case may juveniles be assigned to such schools as the result of their delinquent conduct, and such facilities may not be used in such a manner as to result in racial segregation.

"DEFINITIONS

"SEC. 108. For the purpose of this title—

"(1) The term 'vocational education' means vocational and technical training or retraining which is given in schools or classes (including field or laboratory work and remedial or related academic and technical instruction incident thereto) under public supervision and control or under contract with a State board or local educational agency and is conducted as part of a program designed to prepare individuals for gainful employment as semiskilled or skilled workers or technicians or subprofessional in recognized occupations and in new and emerging occupations or to prepare individuals for enrollment in advanced technical education programs, but excluding any program to prepare individuals for employment in occupations which the Commissioner determines, and specifies by regulation, to be generally considered professional or which requires a baccalaureate or higher degree; and such term includes vocational guidance and counseling (individually or through group instruction) in connection with such training or for the purpose of facilitating occupational choices; instruction related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training; job placement; the training of persons engaged as, or

82 Stat. 1070.

preparing to become, teachers in a vocational education program or preparing such teachers to meet special education needs of handicapped students; teachers, supervisors, or directors of such teachers while in such a training program; travel of students and vocational education personnel while engaged in a training program; and the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment, but such term does not include the construction, acquisition, or initial equipment of buildings or the acquisition or rental of land.

"(2) The term 'area vocational education school' means—

"(A) a specialized high school used exclusively or principally for the provision of vocational education to persons who are available for study in preparation for entering the labor market, or

"(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to persons who are available for study in preparation for entering the labor market, or

"(C) a technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for study in preparation for entering the labor market, or

"(D) the department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields. under the supervision of the State Board, leading to immediate employment but not necessarily leading to a baccalaureate degree,

if it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the case of a school, department, or division described in (C) or (D), it admits as regular students both persons who have completed high school and persons who have left high school.

"(3) The term 'school facilities' means classrooms and related facilities (including inital equipment) and interests in lands on which such facilities are constructed. Such term shall not include any facility intended primarly for events for which admission is to be charged to the general public.

"(4) The term 'construction' includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

"(5) The term 'Commissioner' means the Commissioner of Education, and the term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(6) The term 'handicapped', when applied to persons, means persons who are mentally retarded, hard of hearing, deaf. speech impaired, visually handicapped, seriously emotionally disturbed, crippled or other health impaired persons who by reason thereof require special education and related services. 82 Stat. 1071.

"(7) The term 'State' includes, in additional to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(8) The term 'State board' means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies, in the State.

"(9) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having adminstrative control and direction of a vocational education program.

"(10) The term 'high school' does not include any grade beyond grade 12.

"(11) The term 'private vocational training institution' means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, or (ii) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, or (iii) if the Commissioner determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

"(12) The term 'Vocational Education Act of 1946' means titles I, II, and III of the Act of June 9, 1936, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg).

60 Stat. 775;
70 Stat. 925;
72 Stat. 1598.
46 Stat. 1489.

"(13) The term 'supplementary vocational education Acts' means section 1 of the Act of March 3, 1931 (20 U.S.C. 30) (relating to vocational education in Puerto Rico), the Act of

March 18, 1950 (20 U.S.C. 31–33) (relating to vocational education in the Virgin Islands), and section 9 to the Act of August 1, 1956 (20 U.S.C. 34) (relating to vocational education in Guam).

64 Stat. 27.
70 Stat. 909.

“Part B—State Vocational Education Program

82 Stat. 1072.

“AUTHORIZATION OF GRANTS

“Sec. 121. From the sums made available for grants under this part pursuant to sections 102 and 103, the Commissioner is authorized to make grants to States to assist them in conducting vocational education programs for persons of all ages in all communities of the States, which are designed to insure that education and training programs for career vocations are available to all individuals who desire and need such education and training.

“USES OF FEDERAL FUNDS

“Sec. 122. (a) Grants to States under this part may be used, in accordance with State plans approved pursuant to section 123, for the following purposes:

“(1) vocational education programs for high school students, including such programs which are designed to prepare them for advanced or highly skilled postsecondary vocational and technical education;

“(2) vocational education for persons who have completed or left high school and who are available for study in preparation for entering the labor market;

“(3) vocational education for persons (other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962 (Public Law 87–415), the Area Redevelopment Act (Public Law 87–27), or the Trade Expansion Act of 1962 (Public Law 87–794)) who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment;

76 Stat. 23.
42 USC 2571 note.
75 Stat. 47.
42 USC 2501 note.

“(4)(A) vocational education for persons (other than handicapped persons defined in section 108(6)) who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program;

76 Stat. 872.
19 USC 1801 note.

“(B) vocational education for handicapped persons who because of their handicapping condition cannot succeed in the regular vocational education program without special educational assistance or who require a modified vocational education program;

“(5) construction of area vocational education school facilities;

“(6) vocational guidance and counseling designed to aid persons enumerated in paragraphs (1) through (4) of this subsection in the selection of, and preparation for, employment in all vocational areas;

"(7) provision of vocational training through arrangements with private vocational training institutions where such private institutions can make a significant contribution to attaining the objectives of the State plan, and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions; and

"(8) ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and improved State administration and leadership, including periodic evaluation of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities.

82 Stat. 1073.

"(b) In addition to the uses of funds specified in subsection (a), funds appropriated pursuant to section 102(c) and paid to a State for the following purpose by the Commissioner may be used for—

"(1) the development of the State plan;

"(2) State administration of the State plan, including obtaining information regarding current and projected manpower needs and job opportunities; and

"(3) the evaluations required under this title and the dissemination of the results thereof.

"(c) (1) At least 25 per centum of that portion of each State's allotment of funds appropriated under section 102(a) for any fiscal year beginning after June 30, 1969, which is in excess of its base allotment shall be used only for the purpose set forth in paragraph (4) (A) of subsection (a): *Provided*, That for any such fiscal year the amount used for such purpose shall not be less than 15 per centum of the total allotment of such funds for each State, except as any requirement under this paragraph may be waived for any State by the Commissioner for any fiscal year upon his finding that the requirement imposes a hardship or is impractical in its application.

"(2) At least 25 per centum of that portion of each State's allotment of funds appropriated under section 102(a) for any fiscal year beginning after June 30, 1969, which is in excess of its base allotment shall be used only for the purpose set forth in paragraph (2) of subsection (a): *Provided*, That for any such fiscal year the amount used for such purpose shall not be less than 15 per centum of the total allotment of such funds for each State, except as any requirement under this paragraph may be waived for any State by the Commissioner for any fiscal year upon his finding that the requirement imposes a hardship or is impractical in its application.

"(3) At least 10 per centum of each State's allotment of funds appropriated under section 102(a) for any fiscal year beginning after June 30, 1969, shall be used only for the purpose set forth in paragraph 4(B) of subsection (a).

"Base allotment."

"(4) As used in this subsection, the term 'base allotment' means the sum of the allotments to a State for the fiscal year ending June 30, 1969, from (1) sums appropriated under section 102(a) of this Act, (2) the Smith-Hughes Act (that is, the Act approved February 23, 1917 (39 Stat. 929; 20 U.S.C. 11–15, 16–28)), (3) the Vocational Education Act of 1946, and (4) any of the supplementary vocational educational Acts (including, in the case of American Samoa, section 2 of the Act of September 25, 1962, 48 U.S.C. 1667).

Ante, p. 1071.

76 Stat. 586.

"STATE PLANS

"SEC. 123. (a) Any State desiring to receive the amount for which it is eligible for any fiscal year pursuant to this title shall submit a State plan at such time, in such detail, and containing such information as the Commissioner deems necessary, which meets the requirements set forth in this title. The Commissioner shall approve a plan submitted by a State if he determines that the plan submitted for that year—

"(1) has been prepared in consultation with the State advisory council for that State;

"(2) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies;

"(3) has been submitted only after the State board (A) has given reasonable notice and afforded a reasonable opportunity for a public hearing, and (B) has implemented policies and procedures to insure that copies of the State plan and all statements of general policies, rules, regulations, and procedures issued by the State board concerning the administration of such plan will be made reasonably available to the public;

82 Stat. 1074.

"(4) sets forth a long-range program plan (or, as is appropriate, a supplement to, or revision of, a previously submitted long-range plan) for vocational education in the State, which program plan (A) has been prepared in consultation with the State advisory council, (B) extends over such period of time (but not more than five years or less than three years), beginning with the fiscal year for which the State plan is submitted, as the Commissioner deems necessary and appropriate for the purposes of this title, (C) describes the present and projected vocational education needs of the State in terms of the purposes of this title, and (D) sets forth a program of vocational education objectives which affords satisfactory assurance of substantial progress toward meeting the vocational education needs of the potential students in the State;

"(5) sets forth an annual program plan, which (A) has been prepared in consultation with the State advisory council, (B) describes the content of, and allocation of Federal and State vocational education funds to programs, services, and activities to be carried out under the State plan during the year for which Federal funds are sought (whether or not supported with Federal funds under this title), (C) indicates how and to what extent, such programs, services, and activities will carry out the program objectives set forth in the long-range program plan provided for in paragraph (4), and (D) indicates how, and to what extent, allocations of Federal funds allotted to the State will take into consideration the criteria set forth in the State plan pursuant to paragraph (6), and (E) indicates the extent to which consideration was given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to section 104;

"(6) sets forth in detail the policies and procedures to be followed by the State in the distribution of funds to local educational agencies in the State and for the uses of such funds, specified in paragraphs (1) through (8) of section 122(a), for the programs, services, and activities set forth in the program plans submitted pursuant to paragraphs (4) and (5), which policies and procedures assure that—

"(A) due consideration will be given to the results of periodic evaluations of State and local vocational education programs, services, and activities in the light of information regarding current and projected manpower needs and job opportunities, particularly new and emerging needs and opportunities on the local, State, and national levels,

"(B) due consideration will be given to the relative vocational education needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socioeconomic, mental, and physical handicaps that prevents them from succeeding in regular vocational education programs,

"(C) due consideration will be given to the relative ability of particular local educational agencies within the State, particularly those in economically depressed areas and those with high rates of unemployment, to provide the resources necessary to meet the vocational education needs in the areas or communities served by such agencies,

"(D) due consideration will be given to the cost of the programs, services, and activities provided by local
82 Stat. 1075. educational agencies which is in excess of the cost which may be normally attributed to the cost of educational agencies,

"(E) funds made available under this title will not be allocated to local educational agencies in a manner, such as the matching of local expenditures at a percentage ratio uniform throughout the State, which fails to take into consideration the criteria set forth in paragraphs (A), (B), (C), and (D).

"(F) applications from local educational agencies for funds—

"(i) have been developed in consultation with representatives of the educational and training resources available to the area to be served by the applicant,

"(ii) are designed to provide the persons to be served with education programs which will make substantial progress toward preparing such persons for a career,

"(iii) include assurances of adequate planning to meet the vocational education needs of potential students in the area or community served by such agency, and,

"(iv) include a plan, related to the appropriate comprehensive area manpower plan (if any), for meeting the vocational education needs in the area or community served by such agency; and

"(v) indicate how, and to what extent the vocational education programs, services, and activities proposed in the application will meet the needs set forth pursuant to clause (iii); and

"(G) no local educational agency which is making a reasonable tax effort, as defined by regulations, will be denied funds for the establishment of new vocational education programs solely because the local educational agency is unable to pay the non-Federal share of the cost of such new programs;

"(7) provides minimum qualification for teachers, teacher-trainees, supervisors, directors, and other personnel having responsibilities for vocational education in the State and the policies and procedures developed to improve the qualifications of such personnel and to insure that such qualifications continue to reflect a direct relationship with the need for personnel in vocational education programs carried out under the State plan;

"(8) provides for entering into cooperative arrangements with the system of public employment offices in the State approved by the State board and by the State head of such system, looking toward such offices making available to the State board and local educational agencies occupational information regarding reasonable prospects of employment in the community and elsewhere, and toward consideration of such information by such board and agencies in providing vocational guidance and counseling to students and prospective students and in determining the occupations for which persons are to be trained; and looking toward guidance and counseling personnel of the State board and local educational agencies making available to public employment offices information regarding the occupational qualifications of persons leaving or completing vocational education courses or schools, and toward consideration of such information by such offices in the occupational guidance and placement of such persons;

82 Stat. 1076.

"(9) provides that in the development of vocational education programs, services and activities under this title, there may be, in addition to the cooperative arrangements provided for in paragraph (8), cooperative arrangements with other agencies, organizations, and institutions concerned with manpower needs and job opportunities, such as institutions of higher education, and model city, business, labor, and community action organizations;

"(10) provides that effective use will be made of the results and experience of programs and projects assisted under other parts of this title;

"(11) provides assurance that Federal funds made available under this part will be so used as to supplement, and to the extent practical, increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses set forth in section 122(a), so that all persons in all communities of the State will as soon as possible have ready access to vocational training suited to their needs, interests, and ability to benefit therefrom, and in no case supplant such State or local funds:

"(12) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this title;

"(13) provides that any local educational agency dissatisfied with final action with respect to any application for funds under this title shall be given reasonable notice and opportunity for a hearing;

"(14) provides assurance that the requirements of section 106 will be complied with on all construction projects in State assisted under this title;

"(15) provides for complance with the requirements with respect to the use of funds set forth in section 122(c);

"(16) provides that grants made from sums appropriated under section 102(b) shall (A) be allocated within the State to areas of high concentration of youth unemployment and school dropouts, and (B) be made only if (i) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students, and (ii) effective policies and procedures will be adopted which assure that Federal funds made available under this section to accommodate students in nonprofit private schools will not be commingled with State or local funds:

Reports;
recordkeeping.

"(17) provides for making such reports in such form and containing such information as the Commissioner may reasably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports; and

"(18) includes provisions which shall assure that funds authorized by this title will not be used for any program of vocational education (except homemaking programs under part F) which cannot be demonstrated to (A) prepare students for employment or (B) be necessary to prepare individuals for successful completion of such a program, or (C) be of significant assistance to individuals enrolled in making an informed and meaningful occupational choice.

"(b) The Commissioner shall not approve a State plan under this section until he has made specific findings as to the compliance of such plan with the requirements of this part and he is satisfied that adequate procedures are set forth to insure that the assurances and provisions of such plan will be carried out.

82 Stat. 1077.

"(c) (1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State board submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State board administering a State plan approved under subsection (a), finds that—

"(A) the State plan has so changed that it no longer complies with the provisions of subsection (a), or

"(B) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State board that no further payments will be made to the State under this title (or, in his discretion, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure) until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under this title (or shall limit payments to programs under or portions of the State plan not affected by such failure).

Appeal procedure; judicial review.

"(3) A State board which is dissatisfied with a final action of the Comissioner under this subsection or subsection (b) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his action. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his

72 Stat. 941; 80 Stat. 1323.

previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Comissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

62 Stat. 928.

"(d) (1) If any local educational agency is dissatisfied with the final action of the State board with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State board. The State board thereupon shall file in the court the record of the proceedings on which the State board based its action as provided in section 2112 of title 28, United States Code.

82 Stat. 1078.

"(2) The findings of fact by the State board, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State board to take further evidence, and the State board may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State board or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

62 Stat. 928.

"PAYMENTS TO STATES

"SEC. 124. (a) The Commissioner shall pay, from the amount available to the State for grants under this part, to each State an amount equal to 50 per centum of the State and local expenditures in carrying out its State plan as approved pursuant to section 123, except that—

"(1) allotments of States under section 103 from sums appropriated under section 102(b) may be used, at the discretion of the Commissioner, for paying all or part of the expenditures of the States from such allotments; and

"(2) in the case of the Trust Territory of the Pacific Islands and American Samoa, such amount shall be equal to 100 per centum of such expenditures.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursements, with necessary adjustments on account of overpayments or underpayments.

"(c) No payments shall be made in any fiscal year under this title to any local educational agency or to any State unless the

Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of vocational education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for vocational education in that State for the preceding fiscal year was not less than such fiscal effort for vocational education for the second preceding fiscal year.

"PART C—RESEARCH AND TRAINING IN VOCATIONAL EDUCATION

"AUTHORIZATION OF GRANTS AND CONTRACTS

"SEC. 131. (a) From 50 per centum of the sums available to each State for the purposes of this part the Commissioner is authorized to make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and, with the approval of the appropriate State board, to local educational agencies in that State for the purposes set forth in section 132, except that no grant may be made other than to a nonprofit agency or institution.

"(b) The remaining 50 per centum of the sums available to each State for the purposes of this part shall be used by its State board, in accordance with its State plan, (1) for paying up to 75 per centum of the cost of the State research coordination unit, and (2) for grants to colleges and universities, and other public or nonprofit private agencies and institutions, and local educational agencies and contracts with private agencies, organizations, and institutions to pay 90 per centum of the costs of programs and projects for (i) research and training programs, (ii) experimental, developmental, or pilot programs developed by such institutions and agencies and designed to meet the special vocational needs of youths, particularly youths in economically depressed communities who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs, and (iii) the dissemination of information derived from the foregoing programs or from research and demonstrations in the field of vocational education, which programs and projects have been recommended by the State research coordination unit or by the State advisory council. 82 Stat. 1079.

"USES OF FEDERAL FUNDS

"SEC. 132. The funds available for grants and contracts under section 131(a) may be used for—

"(1) research in vocational education;

"(2) traning programs designed to familiarize persons involved in vocational education with research findings and successful pilot and demonstration projects in vocational education;

"(3) experimental, developmental, and pilot programs and projects designed to test the effectiveness of research findings;

"(4) demonstration and dissemination projects;

"(5) the development of new vocational education curricula; and

"(6) projects in the development of new careers and occupations, such as—

"(A) research and experimental projects designed to identify new careers in such fields as mental and physical health, crime prevention and correction, welfare, education, municipal services, child care, and recreation requiring less training than professional positions and to delineate within such careers roles with the potential for advancement from one level to another;

"(B) training and development projects designed to demonstrate improved methods of securing the involvement, cooperation, and commitment of both the public and private sectors toward the end of achieving greater coordination and more effective implementation of programs for the employment of persons in the fields described in subparagraph (A), including programs to prepare professionals (including administrators) to work effectively with aides; and

"(C) projects to evaluate the operation of programs for the training, development, and utilization of public service aides, particularly their effectiveness in providing satisfactory work experiences and in meeting public needs.

"APPLICATIONS

"SEC. 133. (a) A grant or contract under section 131(a) may be made upon application to the Commissioner at such time or times, in such manner, and containing, or accompanied by, such information ast the Commissioner deems necessary. Such application shall contain—

"(1) a description of the nature, duration, purpose, and plan of the project;

"(2) the qualifications of the principal staff who will be responsible for the project;

"(3) a justification of the amount of grant funds requested;

"(4) the portion of the cost to be borne by the applicant; and

"(5) such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant.

"(b) The Commissioner may not approve an application until such application has been reviewed by a panel of experts who are not employees of the Federal Government.

"PAYMENTS

82 Stat. 1080.

"SEC. 134. From the amount available for grants or contracts under section 131(a), the Commissioner shall pay to each applicant part of the amount expended by such applicant in accordance with the application approved pursuant to section 133.

"PART D—EXEMPLARY PROGRAMS AND PROJECTS

"FINDINGS AND PURPOSE

"SEC. 141. The Congress finds that it is necessary to reduce the continuing seriously high level of youth unemployment by developing means for giving the same kind of attention as is now given to the college preparation needs of those young persons who go on to college, to the job preparation needs of the two out of three young persons who end their education at or before completion of the secondary level, too many of whom face long and bitter months of job hunting or marginal work after leaving school. The purposes of this part, therefore, are to stimulate, through Federal financial support, new ways to create a bridge between school and earning a living for young people, who are still in school, who have left school either by graduation or by dropping out, or who are in postsecondary programs of vocational preparation, and to promote cooperation between public education and manpower agencies.

"AUTHORIZATION OF GRANTS AND CONTRACTS

Appropriations.

"SEC. 142. (a) There are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1969, $57,500,000 for the fiscal year ending June 30, 1970, and $75,000,000 for each of the two succeeding fiscal years to enable the Commissioner to carry out the provisions of this part.

"(b)(1) From the sums appropriated pursuant to this part the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall allot such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territories of the Pacific Islands according to their respective needs for assistance under this part.

State allotments.

"(2) From the remainder of such sums the Commissioner shall allocate $200,000 to each State (except for those provided for in paragraph (1)), and he shall in addition allocate to each such State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all such States.

"(c) From 50 per centum of the sums allotted to each State for the purposes of this part, the Commissioner is authorized to make grants to or contracts with State boards or local educational agencies for the purpose of stimulating and assisting in the development, establishment, and operation of programs or projects designed to carry out the purposes of this part. The Commissioner also may make, in such State from such sums,

"LIMITATION ON DURATION OF ASSISTANCE

"Sec. 145. Financial assistance may not be given under this part to any program or project for a period exceeding three years.

"Part E—Residential Vocational Education

"DEMONSTRATION SCHOOLS

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"Sec. 151 (a) For the purpose of demonstrating the feasibility and desirability of residential vocational education schools for certain youths of high school age, the Commissioner is authorized to make grants, out of sums appropriated pursuant to subsection (b) to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations or institutions for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least fifteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making such grants, the Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain, as nearly as practicable in the light of the purposes of this section, an equitable geographical distribution of such schools.

Urban areas.

Appropriation.

"(b) There are authorized to be appropriated for the purpose of this section $25,000,000 for the fiscal year ending June 30, 1969, $30,000,000 for the fiscal year ending June 30, 1970, and $35,000,000 each for the fiscal year ending June 30, 1971, and for the succeeding fiscal year.

82 Stat. 1083.

"STATE PROGRAMS

"Sec. 152. (a) (1) There are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970, for grants to the States to provide residential vocational education facilities in accordance with the provisions of this section.

State allotments.

"(2) From the sums appropriated under paragraph (1), the Commissioner shall allot to each State an amount which bears the same ratio to such sums as the population of each State bears to the population of all the States.

"State."

"(3) For purposes of this section—

"(A) the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(B) the amount allotted under this subsection to any State for the fiscal year ending June 30, 1969, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year; and

"(C) the amount of any State's allotment under subsection (a)(2) for any fiscal year, which the Commissioner grants to other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions, when such grants or contracts will make an especially significant contribution to attaining the objectives of this part.

"(d) The State board may use the remaining 50 per centum of such sums for making grants to local educational agencies or other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions including business and industrial concerns, upon such terms and conditions consistent with the provisions of this part and with its State plan approved pursuant to section 123, as it determines will most effectively carry out the development, establishment, and operation of exemplary and innovative occupational education programs or projects designed to serve as models for use in vocational education programs.

82 Stat. 1081.

"USES OF FUNDS

"SEC. 143. (a) Grants or contracts pursuant to this part may be made, upon terms and conditions consistent with the provisions of this part, to pay all or part of the cost of—

"(1) planning and developing exemplary programs or projects such as those described in paragraph (2), or

"(2) establishing, operating, or evaluating exemplary programs or projects designed to carry out the purposes set forth in section 141, and to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps, which programs or projects may, among others, include—

"(A) those designed to familiarize elementary and secondary school students with the broad range of occupations for which special skills are required and the requisites for careers in such occupations;

"(B) programs or projects for students providing educational experiences through work during the school year or in the summer;

"(C) programs or projects for intensive occupational guidance and counseling during the last years of school and for initial job placement;

"(D) programs or projects designed to broaden or improve vocational education curriculums;

"(E) exchanges of personnel between schools and other agencies, institutions, or organizations participating in activities to achieve the purposes of this part, including manpower agencies and industry;

"(F) programs or projects for young workers released from their jobs on a part-time basis for the purpose of increasing their educational attainment; and

"(G) programs or projects at the secondary level to motivate and provide preprofessional preparation for potential teachers for vocational education.

"(b)(1) A grant or contract pursuant to this part may be made only if the Commissioner is in the case of grants or contracts made by him, or the State board, in the case of grants or contracts made by it, determines—

"(A) that effective procedures will be adopted by grantees and contractors to coordinate the development and operation of other programs and projects carried out under grants or contracts pursuant to this part, with the appropriate State plan, and with other public and private programs having the same or similar purposes;

"(B) that to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students; and

"(C) that effective policies and procedures will be adopted which assure that Federal funds made available under this part will not be commingled with State or local funds.

"(2) The amount available to a State pursuant to section 142(d) shall be available for obligation for grants or contracts pursuant to the State plan approved under section 123, for paying all of the cost of programs described in section 142(d) and section 143(a) during that year and the succeeding fiscal year. 82 Stat. 1082.

"(3) No grant or contract (other than a grant or contract with a State board) shall be made by the Commissioner under section 142(c) with respect to any program or project unless such program or project has been submitted to the State board in the State in which it is to be conducted and has not been disapproved by the State board within sixty days of such submission or within such longer period of time as the Commissioner may determine pursuant to regulations.

"(4) Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this paragraph, funds available to the Commissioner pursuant to section 142(c) shall remain available until expended.

"PAYMENTS

"Sec. 144. From the amount available for grants and contracts, under this part pursuant to section 142(c), in the appropriate State, the Commissioner shall pay to each applicant an amount equal to the amount expended by such applicant in accordance with the approved application. Such payment may be made on such terms as are approved in such application. Payment pursuant to grants under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine.

"LIMITATION ON DURATION OF ASSISTANCE

"Sec. 145. Financial assistance may not be given under this part to any program or project for a period exceeding three years.

"PART E—RESIDENTIAL VOCATIONAL EDUCATION

"DEMONSTRATION SCHOOLS

"Sec. 151 (a) For the purpose of demonstrating the feasibility and desirability of residential vocational education schools for certain youths of high school age, the Commissioner is authorized to make grants, out of sums appropriated pursuant to subsection (b) to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations or institutions for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least fifteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making such grants, the Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain, as nearly as practicable in the light of the purposes of this section, an equitable geographical distribution of such schools.

Urban areas.

Appropriation.

"(b) There are authorized to be appropriated for the purpose of this section $25,000,000 for the fiscal year ending June 30, 1969, $30,000,000 for the fiscal year ending June 30, 1970, and $35,000,000 each for the fiscal year ending June 30, 1971, and for the succeeding fiscal year.

82 Stat. 1083.

"STATE PROGRAMS

"Sec. 152. (a) (1) There are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970, for grants to the States to provide residential vocational education facilities in accordance with the provisions of this section.

State allotments.

"(2) From the sums appropriated under paragraph (1), the Commissioner shall allot to each State an amount which bears the same ratio to such sums as the population of each State bears to the population of all the States.

"State."

"(3) For purposes of this section—

"(A) the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(B) the amount allotted under this subsection to any State for the fiscal year ending June 30, 1969, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year; and

"(C) the amount of any State's allotment under subsection (a)(2) for any fiscal year, which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b), shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes set forth in subsection (b). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b)(1) Funds allotted to the States under subsection (a) shall be used by the State, or, with the approval of the State boards, by public educational agencies, organizations, or institutions within such State, to pay the Federal share of the cost of planning, constructing, and operating residential vocational education facilities to provide vocational education (including room, board, and other necessities) for youths, at least age fourteen but who have not attained age twenty-one at the time of admission to the training program, who need full-time study on a residential basis and who can profit from vocational education instruction. In the administration of the program conducted under this section, special consideration shall be given to needs in geographical areas having substantial or disproportionate numbers of youths who have dropped out of school or are unemployed, and to serving persons from such areas.

Federal share of costs.

"(2) For purposes of this section, the Federal share of the cost of planning, constructing, and operating residential vocational education facilities shall not exceed 90 per centum of the costs incurred in any fiscal year.

"(c) For purposes of this section the State plan approved under section 123 shall set forth the policies and procedures to be used by the State in determining the size and location of such residential vocational facilities, taking into account the use of existing vocational education facilities. Such policies and procedures must give assurance that—

Policies and procedures.

"(1) adequate provision will be made for the appropriate selection without regard to sex, race, color, religion, national origin or place of residence within the State of students needing education and training at such school;

"(2) the residential school facility will be operated and maintained for the purpose of conducting a residential vocational education school program;

82 Stat. 1084.

"(3) vocational course offerings at such school will include fields for which available labor market analyses indicate a present or continuing need for trained manpower, and that the courses offered will be appropriately designed to prepare enrollees for entry into employment or advancement in such fields; and

"(4) no fees, tuition, or other charges will be required of students who occupy the residential vocational education facility.

"(d) For purposes of this section—

"Residential school facility."

"(1) the term 'residential school facility' means a school facility (as defined in section 108(3)), used for residential vocational education purposes. Such term also includes dormitory, cafeteria, and recreational facilities, and such other facilities as the Commissioner determines are appropriate for a residential vocational education school,

"Operation."

"(2) the term 'operation' means maintenance and operation, and includes the cost of salaries, equipment, supplies, and materials, and may include but is not limited to other reasonable costs of services and supplies needed by residential students, such as clothing and transportation.

"GRANTS TO REDUCE BORROWING COSTS FOR SCHOOLS AND DORMITORIES

"SEC. 153. (a) The Commissioner is authorized to make annual grants to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations, or institutions to reduce the cost of borrowing funds for the construction of residential schools and dormitories to provide vocational education for youths, at least fourteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making contracts for such grants, the Commissioner shall give special consideration to the needs of urban and rural areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain an equitable geographical distribution of such schools.

"(b) Annual grants with respect to the construction of any such residential school shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount equal to the difference between (1) the average annual debt service required to be paid, during the life of the loan, on the amount borrowed for the construction of such facilities, and (2) the average annual debt service which the institution would be required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were 3 per centum per annum.

"(c) The Commissioner shall not enter into a contract for grants under this section unless he determines that the amount borrowed does not exceed the total cost of construction of the facilities, and that such construction will be undertaken in an economical manner and will not be of elaborate or extravagant design or materials.

Appropriation authorization.

"(d)(1) There are hereby authorized to be appropriated such sums as may be necessary for the payment of annual grants in accordance with this section.

Limitation.

"(2) Contracts for annual grants under this section shall not be entered into for an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid in any year pursuant to contracts entered into under this section shall not exceed $5,000,000, which amount shall be increased by $5,000,000 on July 1, 1969.

"PART F—CONSUMER AND HOMEMAKING EDUCATION

82 Stat. 1085

"AUTHORIZATION

Appropriation.

"SEC. 161. (a)(1) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1970, $25,000,000, for the fiscal year ending June 30, 1971, $35,000,000, and for the fiscal year ending June 30, 1972, $50,000,000, for the purposes of this part. From the sums appropriated pursuant to this paragraph for each fiscal year, the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 103 except that, for the purposes of this section, there shall be no reservation of 10 per centum of such sums for research and training programs and 100 per centum of the amount appropriated pursuant to this section shall be alloted among the States.

State allotments, computation.

"(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the part of the State's plan approved under subsection (b) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted for the purposes set forth in subsection (b). Any amount realloted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

Purposes.

"(b) For purposes of this part the State plan approved under section 123 shall set forth a program under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (1) educational programs which (A) encourage home economics to give greater consideration to social and cultural conditions and needs, especially in economically depressed areas, (B) encourage preparation for professional leadership, (C) are designed to prepare youths and adults for the role of homemaker, or to contribute to the employability of such youths and adults in the dual role of homemaker and wage earner, (D) include consumer education programs, and (E) are designed for persons who have entered, or are preparing to enter, the work of the home, and (2) ancillary services, activities and other means of assuring quality in all homemaking education programs, such as teacher training and supervision, curriculum development research, program evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and State administration and leadership.

"(c) From a State's allotment under this section for the fiscal year ending June 30, 1970, and for each fiscal year thereafter, the Commissioner shall pay to such State an amount equal to 50 per centum of the amount expended for the purposes set forth in subsection (b), except that, for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, the Commissioner shall pay an amount equal to 90 per centum of the amount used in areas described in subsection (d). No State shall receive payments under this section for any fiscal year in excess of its allotment under subsection (a) for such fiscal year.

Programs for economically depressed areas.

"(d) At least one-third of the Federal funds made available under this section shall be used in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

"PART G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"FINDINGS AND PURPOSE

"SEC. 171. The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made know. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations. It is the purpose of this part to assist the State to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; and to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"AUTHORIZATIONS AND ALLOTMENTS

Appropriation.

"SEC. 172. (a) There is authorized to be appropriated for the fiscal year ending June 30, 1969, $20,000,000, for the fiscal year ending June 30, 1970, $35,000,000, for the fiscal year ending June 30, 1971, $50,000,000, and for the fiscal year ending June 30, 1972, $75,000,000, for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements.

State and territorial allotments.

"(b)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine, and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States. For purposes of the preceding sentence, the term 'State' does not include the areas referred to in the first sentence of this paragraph.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the part of the State's plan approved under section 173 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so realloted for the purposes set forth in section 173. Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year. "State."

"(3) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"PLAN REQUIREMENT

82 Stat. 1087.

"SEC. 173. (a) A State, in order to participate in the program authorized by this part, shall submit, as part of its State plan, to the Commissioner, through its State board, a plan which shall set forth policies and procedures to be used by the State board in establishing cooperative work-study programs through local educational agencies with participation of public and private employers. Such policies and procedures must give assurance that—

"(1) funds will be used only for developing and operating cooperative work-study programs as defined in section 175 which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(2) necessary procedures are established for cooperation with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(3) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who perform such work;

"(4) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and inservice training for teacher coordinators, supervision, curriculum materials, and evaluation;

"(5) priority for funding cooperative work-study programs through local educational agencies, is given to areas that have high rates of school dropouts and youth unemployment;

"(6) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served, whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students;

"(7) Federal funds made available under this part will not be commingled with State or local funds; and

"(8) such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

"(b) The Commissioner shall approve such part of its State plan which fulfills the conditions specified above, and the provisions of part B (relating to the disapproval of State plans) shall apply to this section.

"USE OF FUNDS

"SEC. 174. Funds allocated under this part for cooperative work-study programs shall be available for paying all or part of the State's expenditures under its State plan for this part for any fiscal year, but not in excess of its allotment under section 172.

"DEFINITION

"SEC. 175. For purposes of this part, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by the school and employers so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, full-days, weeks, or other periods of time in fulfilling the cooperative work-study program.

82 Stat. 1088

"PART H—WORK-STUDY PROGRAMS FOR VOCATIONAL EDUCATION STUDENTS

"AUTHORIZATION OF APPROPRIATIONS AND ALLOTMENT

"SEC. 181. (a) There are hereby authorized to be appropriated $35,000,000 for each of the fiscal years ending June 30, 1969 and June 30, 1970 for the purposes of this part.

"(b) (1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall allot to each State an amount which bears the same ratio to such sums for such year as the population aged fifteen to twenty, inclusive, of the State, in the preceding fiscal year bears to the population aged fifteen to twenty, inclusive, of all the States in such preceding year.

"(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the part of the State's plan approved pursuant to section 182 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under paragraph (1) for such year, but with such proportionate amount for any such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year and the total of such reductions shall be similarly reallotted among the States not suffering such a reduction. Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"PLAN REQUIREMENT

"SEC. 182. (a) To be eligible to participate in the program authorized by this part, a State shall submit as a part of its State plan through its State board to the Commissioner a plan, in such detail as the Commissioner determines necessary, which—

"(1) designates the State board as the sole agency for administration of the plan, or for supervision of the administration thereof by local educational agencies;

"(2) sets forth the policies and procedures to be followed by the State in approving work-study programs, under which policies and procedures funds paid to the State from its allotment under section 181 will be expended solely for the payment of compensation of students employed pursuant to work-study programs which meet the requirements of subsection (b), except that not to exceed 1 per centum of any such allotment, or $10,000, whichever is the greater, may be used to pay the cost of developing the plan required by this section and the cost of administering such plan after its approval under this section;

"(3) sets forth principles for determining the priority to be accorded applications from local educational agencies for work-study programs, which principles shall give preference to applications submitted by local education agencies serving communities having substantial numbers of youths who have dropped out of school or who are unemployed, and provides for undertaking such programs, insofar as financial resources available therefor make possible in the order determined by the application of such principles;

"(4) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this part; and 82 Stat. 1089.

Reports; recordkeeping.

"(5) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) For the purposes of this section, a work-study program shall—

"(1) be administered by the local educational agency and made reasonably available (to the extent of available funds) to all youths in the area served by such agency who are able to meet the requirements of paragraph (2);

Student eligibility.

"(2) provide that employment under such work-study program shall be furnished only to a student who (A) has been accepted for enrollment as a full-time student in a vocational education program which meets the standards prescribed by the State board and the local educational agency for vocational education programs assisted under this title, or in the case of a student already enrolled in such a program, is in good standing and in full-time attendance, (B) is in need of the earnings from such employment to commence or continue his vocational education program, and (C) is at least fifteen years of age and less than twenty-one years of age at the commencement of his employment, and is capable, in the opinion of the appropriate school authorities, of maintaining good standing in his vocational education program while employed under the work-study program;

Workweek, compensation; limitations.

"(3) provide that no student shall be employed under such work-study program for more than fifteen hours in any week in which classes in which he is enrolled are in session, or for compensation which exceeds $45 in any month or $350 in any academic year or its equivalent, unless the student is attending a school which is not within reasonable commuting distance from his home, in which case his compensation may not exceed $60 in any month of $500 in any academic year or its equivalent;

"(4) provide that employment under such work-study program shall be for the local educational agency or for some other public agency or institution; and

"(5) provide that, in each fiscal year during which such program remains in effect, such agency shall expend (from sources other than payments from Federal funds under this section) for the employment of its students (whether or not in employment eligible for assistance under this section) an amount that is not less than its average annual expenditure for work-study programs of a similar character during the three fiscal years preceding the fiscal year in which its work-study program under this section is approved.

"(c) The provisions of part B shall be applicable to the Commissioner's actions with respect to plans submitted under this section.

“PAYMENTS

82 Stat. 1090.

“Sec. 183. (a) From a State’s allotment under this section for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, the Commissioner shall pay to such State an amount equal to 80 per centum of (1) the amount expended for compensation of students employed pursuant to work-study programs under the part of the State’s plan approved under section 182, plus (2) an amount, not to exceed 1 per centum of such allotment, or $10,000, whichever is the greater, expended for the development of such plan and for the administration of such plan after its approval by the Commissioner. No State shall receive payments under this section for any fiscal year in excess of its allotment under section 181 for such fiscal year.

“(b) Such payments (adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds allotted under section 181.

“STATUS OF PARTICIPANTS

“Sec. 184. Students employed in work-study programs under this part shall not by reason of such employment be deemed employees of the United States, or their service Federal service, for any purpose.

“PART I—CURRICULUM DEVELOPMENT IN VOCATIONAL AND TECHNICAL EDUCATION

“AUTHORIZATION

“Sec. 191. (a) The Congress finds that curriculum development in vocational education is complicated by the diversity of occupational objectives; variations due to geography; differences in educational levels and types of programs; and by the wide range of occupations which includes, but is not limited to, agriculture, food processing and preparation, trades and industry, distribution and marketing, technical, public service, health services, business, and office occupations. It is therefore the purpose of this section to enable the Commissioner to provide appropriate assistance to State and local educational agencies in the development of curriculums for new and changing occupations, and to coordinate improvements in, and dissemination of, existing curriculum materials.

Appropriation.

“(b) There are authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1969, and $10,000,000 for the fiscal year ending June 30, 1970, for the purposes set forth in this section.

Use of funds.

“(c)(1) Sums appropriated pursuant to subsection (b) shall be used by the Commissioner, after consultation with the appropriate State agencies and the National Council, to make grants to or contracts with colleges or universities, State boards, and other public or nonprofit private agencies and institutions, or contracts with public or private agencies, organization, or institutions—

"(A) to promote the development and dissemination of vocational education curriculum materials for use in teaching occupational subjects, including curriculums for new and changing occupational fields;

"(B) to develop standards for curriculum development in all occupational fields;

"(C) to coordinate efforts of the States in the preparation of curriculum materials and prepare current lists of curriculum materials available in all occupational fields;

"(D) to survey curriculum materials produced by other agencies of Government, including the Department of Defense;

"(E) to evaluate vocational-technical education curriculum materials and their uses; and

"(F) to train personnel in curriculum development.

82 Stat. 1091.
"Curriculum materials."

"(2) For purposes of this subsection, 'curriculum materials' means materials consisting of a series of courses to cover instruction in any occupational field in vocational education which are designed to prepare persons for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field."

EFFECTIVE DATE

SEC. 102. (a) Except as provided in subsection (b), the amendments made by section 101 shall become effective upon enactment.

(b) The amendments made by this Act to the Vocational Education Act of 1963 shall not, during the fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs (including programs under part H) carried on under any State's plan during the preceding fiscal year.

REPEAL OF EARLIER VOCATIONAL EDUCATION ACTS

60 Stat. 775.
46 Stat. 1489.
64 Stat. 27.
70 Stat. 909.
76 Stat. 586.

SEC. 103. Effective July 1, 1969, the Vocational Education Act of 1946 (the Act of June 8, 1936, as amended, 20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), section 1 of the Act of March 3, 1931, relating to vocational education in Puerto Rico (20 U.S.C. 30), the Act of March 18, 1950, relating to vocational education in the Virgin Islands (20 U.S.C. 31–33), section 9 of the Act of August 1, 1956, relating to vocational education in Guam (20 U.S.C. 34), and section 2 of the Act of September 25, 1962, relating to vocational education in American Samoa (48 U.S.C. 1667) are repealed.

USE OF FUNDS AVAILABLE UNDER THE SMITH-HUGHES ACT

SEC. 104. Funds appropriated by the first section of the Smith-Hughes Act (that is the Act approved February 23, 1917, 39 Stat. 929, as amended (20 U.S.C. 11–15, 16–28)), shall be considered as funds appropriated pursuant to section 102(a) of this Act.

TITLE II—VOCATIONAL EDUCATION LEADERSHIP AND PROFESSIONAL DEVELOPMENT AMENDMENT OF HIGHER EDUCATION ACT OF 1965

SEC. 201. The Higher Education Act of 1965 is amended by inserting the following new part at the end of title V (the Education Professions Development Act): 79 Stat. 1254; 81 Stat. 82–93. 20 USC 1091–1119b-2.

"PART F—TRAINING AND DEVELOPMENT PROGRAMS FOR VOCATIONAL EDUCATION PERSONNEL

"STATEMENT OF PURPOSE

"SEC. 551. It is the purpose of this part to provide opportunities for experienced vocational educators to spend full-time in advanced study of vocational education for a period not to exceed three years in length; to provide opportunities to up-date the occupational competencies of vocational education teachers through exchanges of personnel between vocational education programs and commercial, industrial, or other public or private employment related to the subject matter of vocational education; and to provide programs of inservice teacher education and short-term institutes for vocational education personnel.

"LEADERSHIP DEVELOPMENT AWARDS

82 Stat. 1092.

"SEC. 552. (a) In order to meet the needs in all the States for qualified vocational education personnel (such as administrators, supervisors, teacher educators, researchers, and instructors in vocational education programs) the Commissioner shall make available leadership development awards in accordance with the provisions of this part only upon his determination that—

Eligibility.

"(A) persons selected for awards have had not less than two years of experience in vocational education or in industrial training, or military technical training; or, in the case of researchers, experience in social science research which is applicable to vocational education; or

"(B) persons receiving such awards are currently employed or are reasonably assured of employment in vocational education and have successfully completed, as a minimum, a baccalaureate degree program; or

"(C) persons selected are recommended by their employer, or others, as having leadership potential in the field of vocational education and are eligible for admission as a graduate student to a program of higher education approved by the Commissioner under subsection (c).

Pay to individuals.

"(b) (1) The Commissioner shall pay to persons selected for leadership development awards such stipends (including such allowances for subsistance and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

Pay to educational institution.

"(2) The Commissioner shall (in addition to the stipends paid to persons under paragraph (1)) pay to the institution of higher education at which such person is pursuing his course of study such amount as the Commissioner may determine to be consistent with the prevailing practices under comparable federally supported programs not to exceed the equivalent of $3,500 per academic year, but any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection.

Approval provisions.

"(c) The Commissioner shall approve the vocational education leadership development program of an institution of higher education by the institution only upon finding that—

"(1) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, guidance and counseling, research, and curriculum development;

"(2) such program is designed to further substantially the objective of improving vocational education through providing opportunities for graduate training of vocational education teachers, supervisors, and administrators, and of university level vocational education teacher educators and researchers;

"(3) such programs are conducted by a school of graduate study in the institution of higher education; and

"(4) such program is also approved by the State board for vocational education in the State where the institution is located.

Apportionment.

"(d) In order to meet the needs for qualified vocational education personnel such as teachers, administrators, supervisors, and teacher educators, in vocational education programs in all the States, the Commissioner in carrying out this section shall apportion leadership development awards equitably among the States, taking into account such factors as the State's vocational education enrollments, and the incidence of youth unemployment and school dropouts in the State.

82 Stat. 1093.

"(e) Persons receiving leadership awards under the provisions of this section shall continue to receive the payments provided in subsection (b) only during such periods as the Commissioner finds that they are maintaining satisfactory proficiency in, and devoting essentially full-time to, study or research in the field of vocational education in an institution of higher education, and are not engaging in gainful employment, other than part-time employment but such institution in teaching, research, or similar activities, approved by the Commissioner.

"EXCHANGE PROGRAMS, INSTITUTES, AND INSERVICE EDUCATION FOR VOCATIONAL-EDUCATION TEACHERS, SUPERVISORS, COORDINATORS, AND ADMINISTRATORS

"SEC. 553. (a) The Commissioner is authorized to make grants to State boards, as defined in the Vocational Education Act of 1963, to pay the cost of carrying out cooperative arrangements for the training or retraining of experienced vocational education personnel such as teachers, teacher educators, administrators, supervisors, and coordinators, and other personnel, in order to strengthen education programs supported by this part and the administration of schools offering vocational education. Such cooperative arrangements may be between schools offering vocational education and private business or industry, commercial enterprises, or with other educational institutions (including those for the handicapped and delinquent).

Ante, p. 1071.

"(b) Grants under this section may be used for projects and activities such as—

Projects and activities.

"(1) exchange of vocational education teachers and other staff members with skilled technicians or supervisors in industry (including mutual arrangements for preserving employment and retirement status, and other employment benefits during the period of exchange), and the development and operation of cooperative programs involving periods of teaching in schools providing vocational education and of experience in commercial, industrial, or other public or private employment related to the subject matter taught in such school;

"(2) inservice training programs for vocational education teachers and other staff members to improve the quality of instruction, supervision, and administration of vocational education programs; and

"(3) short-term or regular-session institutes, or other preservice and inservice training programs or projects designed to improve the qualifications of persons entering and reentering the field of vocational education, except that funds may not be used for seminars, symposia, workshops or conferences unless these are part of a continuing program of inservice or preservice training.

"(c) A grant may be under this section only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

Provisions for approval.

"(1) sets forth a program for carrying out one or more projects or activities which meet the requirements of subsection (b), and provides for such methods of administration as are necessary for the proper and efficient operation of the program;

"(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of funds that would,

82 Stat. 1094.

in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (b), and in no case supplant such funds;

"(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

Reports; recordkeeping.

"(4) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"FAMILIARIZING TEACHERS WITH NEW CURRICULAR MATERIALS

"SEC. 554. In approving training and development programs for vocational education personnel, the Commissioner shall give special consideration to programs which are designed to familiarize teachers with new curricular materials in vocational education.

"APPROPRIATIONS AUTHORIZED

"SEC. 555. There is authorized to be appropriated to carry out this part, the sum of $25,000,000 for the fiscal year ending June 30, 1969, and the sum of $35,000,000 for the fiscal year ending June 30, 1970."

TITLE III—MISCELLANEOUS PROVISIONS

ADEQUATE LEADTIME, PLANNING, AND EVALUATION

81 Stat. 814. 20 USC 1221.

SEC. 301. (a) Section 401 of the Elementary and Secondary Education Amendments of 1967 (Public Law 90-247) is amended to read as follows:

"PROGRAM SUBJECT TO THIS TITLE

"SEC. 401. The provisions of this title shall apply to any program for which the Commissioner of Education has responsibility for administration, either as provided by statute or by delegation pursuant to statute. Amendments to Acts authorizing such programs shall not affect the applicability of this title unless so specified by such amendments."

20 USC 1225.

(b) Title IV of such Act is amended by inserting after section 405 the following new section:

"AVAILABILITY OF APPROPRIATIONS

"SEC. 406. Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this title, funds appropriated for any fiscal year to carry out any of the programs to which this title is applicable shall remain available for obligation until the end of such fiscal year."

REDUCING AGE LIMIT IN ADULT EDUCATION PROGRAM

82 Stat. 1095.

SEC. 302. Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Adult Education Act of 1966 (title III of Public Law 89–750, 80 Stat. 1216) is amended by striking out "eighteen" and inserting in lieu thereof "sixteen". 20 USC 1202.

COLLECTION AND DISSEMINATION OF INFORMATION

SEC. 303. (a) For the purpose of carrying out more effectively the provisions of the programs administered by him (including those administered by him by delegation), the Commissioner of Education—

(1) shall prepare and disseminate to all appropriate State and local agencies and institutions and others concerned with education, complete information on programs of Federal assistance;

(2) shall inform the public on federally supported programs for education by providing information to communications media; such dissemination activity shall include the development and issuance of materials which inform teachers, students, the disadvantaged, and dropouts of new and expanding opportunities for education, together with materials specifically directed to institutions or individuals vested with responsibility for one or more programs administered by the Commissioner;

(3) shall develop, on both formal and informal bases, a close liaison for interchange of ideas and information with representatives of American business and with service, labor, or other organizations, both public and private, to advance American education;

(4) shall collect data and information on programs qualifying for assistance under programs administered by him for the purpose of obtaining objective measurements of the effectiveness achieved in carrying out the purposes of such programs;

(5) may upon request provide advice, counsel, technical assistance, and demonstrations to State educational agencies local educational agencies, or institutions of higher education undertaking to initiate or expand programs in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

(6) shall prepare and disseminate to State educational agencies, local educatonal agencies, and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of programs administered by him; and Annual report.

(7) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

(b) (1) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, Rural areas. Counseling and technical assistance.

shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (A) in determining benefits available to such agencies and schools under Federal laws, and (B) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance.

82 Stat. 1096.

(2) The Commissioner is further authorized to provide the types of assistance available to elementary and secondary schools under paragraph (1) to institutions of higher education.

Catalog of Federau educational assistance programs.

(c) The Commissioner shall prepare and make available in such form as he deems appropriate a catalog of all Federal education assistance programs whether or not such programs are administered by him. The catalog shall—

(1) identify each such program, and include the name of the program, the authorizing statute, the specific Federal administering officials and a brief description of such program;

(2) set forth the availability of benefits and eligibility restrictions in each such program;

(3) set forth the budget requests for each such program past appropriations, obligations incurred, the average assistance provided under each such program, and pertinent financial information indicating (A) the size of each such program for selected fiscal years, and (B) any funds remaining available;

(4) set forth the prerequisites, including the cost to the recipient of receiving assistance under each such program, and any duties required of the recipient after receiving benefits;

(5) identify appropriate officials, in Washington, District of Columbia, as well as in each State and locality (if applicable), to whom application or reference for information for each such program may be made;

(6) set forth the application procedures;

(7) contain a detailed index designed to assist the potential beneficiary to identify all education assistance programs related to a particular need or category of potential beneficiaries;

(8) contain such other program information and data as the Commissioner deems necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal education assistance program; and

Report to Congress.

(9) be transmitted to Congress within the first month of each regular session, together with a report setting forth the specific measures taken in the past year to simplify the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal

education assistance program, and to coordinate, simplify application forms and program guidelines.

(d) There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each succeeding fiscal year ending prior to July 1, 1972, such sums as may be necessary to carry out the provisions of this section.

Appropriation authorization.

(e) Section 806 of the Elementary and Secondary Education Act of 1965 shall become ineffective the first fiscal year for which funds are appropriated to carry out the provisions of this section.

80 Stat. 1209; 81 Stat. 805, 816. 20 USC 886.

TRAINING TEACHERS OF THE HANDICAPPED

SEC. 304. Section 1 of Public Law 85–926 (grants for teaching in the education of handicapped children) is amended by inserting "and other appropriate non-profit institutions or agencies" after the words "non-profit institutions of higher learning" wherever such words occur.

72 Stat. 1777; 77 Stat. 294. 20 USC 611.

PREVENTION OF REDUCTION OF STATE AID ON ACCOUNT OF PAYMENTS UNDER PUBLIC LAW 874

82 Stat. 1097.

SEC. 305. (a) Subsection (d) of section 5 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended (1) by inserting "(1)" after "(d)", and (2) by adding the following new paragraph:

80 Stat. 1212. 20 USC 240.

"(2) No payments may be made during any fiscal year to any local educational agency in any State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid (as defined by regulation), or the amount of that aid, with respect to free public education during that year or the preceding fiscal year, or which makes such aid available to local educational agencies in such a manner as to result in less State aid to any local educational agency which is eligible for payments under this title than such local educational agency would receive if it were not so eligible."

(b) The amendments made by subsection (a) shall become effective with respect to each State on the first day of the first fiscal year which begins after the adjournment of the first complete legislative session (at which State aid may be considered) of such State's legislature held after the date of enactment of this Act.

Effective date.

PROGRAM CONSOLIDATION STUDY

SEC. 306. The Commissioner of Education shall make a study of the feasibility of consolidation of education programs in order to provide for more efficient use of Federal funds at the local level and to simplify application procedures for such funds and shall, within one year of the date of enactment of this Act, submit to the Congress a report on the results of the study and any recommendations for legislation which would facilitate consolidation of education programs.

Report to Congress.

STATE SCHOOLS FOR HANDICAPPED IN TERRITORIES

79 Stat. 28;
81 Stat. 787.
20 USC 241c.
79 Stat. 1161.

SEC. 307. Section 103(a)(4) of the Elementary and Secondary Education Act of 1965 (title II of Public Law 874, 81st Congress, as amended) is amended by inserting "except paragraph (5)," after "this subsection,".

JOB CORPS STUDY

78 Stat. 508;
81 Stat. 672.
42 USC 2701 note.
Ante, p. 1082.

SEC. 308. (a) The Commissioner of Education is authorized and directed to make a special study of the means by which the existing Job Corps facilities and programs established under the Economic Opportunity Act of 1964 most effectively might, if determined feasible, be transferred to State or joint Federal-State operation in conjunction with the program of Residential Vocational Education authorized by part E of the Vocational Education Act of 1963.

Report to Congress.

(b) The Commissioner shall consult with other Federal officers, State boards of vocational education, and such other individuals and organizations as he may deem necessary for this study, and shall make a report of his findings and recommendations to the appropriate committees of the Congress not later than March 1, 1969.

HEAD START STUDY

81 Stat. 698.
42 USC 2808.

78 Stat. 529;
80 Stat. 1468.
42 USC 2942.
Report to Congress.

SEC. 309. The President shall make a special study of whether the responsibility for administering the Head Start program established under the Economic Opportunity Act of 1964 should continue to be vested in the Director of the Office of Economic Opportunity, should be transferred to another agency of the Government, or should be delegated to another such agency pursuant to the provisions of section 602(d) of the aforementioned Economic Opportunity Act of 1964, and shall submit the findings of this study of the Congress not later than March 1, 1969.

12. FELICITATIONS TO ST. LOUIS UNIVERSITY

(Public Law 90–611, approved Oct. 21, 1968)

A. LEGISLATIVE HISTORY

House Joint Resolution 691 was introduced on July 10, 1967, by Representative Leonor K. Sullivan, of Missouri. The Joint resolution was referred to the Committee on the Judiciary. The committee was discharged, and the joint resolution passed the House on February 29, 1968. It was reported in the Senate, from the Committee on Labor and Public Welfare, on October 10, 1968 (no written report). It passed the Senate, amended, on October 11, 1968. It was approved by the President on October 21, 1968, and became Public Law 90–611.

B. DIGEST OF THE JOINT RESOLUTION

The resolution extends greetings and feliciations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

C. Text of the Law

Following is the text of Public Law 90–611.

JOINT RESOLUTION

Extending greetings and felicitations to Saint Louis University in the city of Saint Louis, Missouri, in connection with the one hundred and fiftieth anniversary of its founding.

Resolved by the Senate and House of Representatives of the United States of American in Congress assembled, That the Government of the United States extends its greetings and felicitations to Saint Louis University, its president and board of trustees, its faculty and students, and urges the citizens of the United States to cooperate with the university anniversary observances to promote the deepening of human understanding and the enlargement of human knowledge for the common good of all men.

St. Louis University. 150th Anniversary.

13. INCREASE OF VETERANS EDUCATIONAL ASSISTANCE ELIGIBILITY, AND EXTENSION OF EDUCATIONAL AID TO WIDOWS AND WIVES OF CERTAIN VETERANS

(Public Law 90–631, approved October 23, 1968)

A. Legislative History

H.R. 16025, a proposal to amend title 38 of the United States Code, was introduced on March 18, 1968, by Representative Olin E. Teague, of Texas. The bill was referred to the Committee on Veterans Affairs.

Hearings on this and other bills relating to education and training programs administered by the Veterans' Administration were held before the Subcommittee on Education and Training of the House Committee on Veterans Affairs on April 30 and May 1, 1968. The record of the hearings was printed in a volume of 45 pages.

H.R. 16025 was reported in the House, from the Committee on Veterans Affairs, on May 14, 1968 (H. Rept. 1379). Under suspension of the rules, the bill passed the House on May 20, 1968.

Hearings on H.R. 16025 and other bills relating to veterans education and medical benefits were held before the Subcommittee on Veterans Affairs of the Senate Committee on Labor and Public Welfare on July 1, 1968. The record of the hearings was published in a volume of 178 pages.

On July 11, 1968 H.R. 16025 was reported in the Senate, from the Committee on Labor and Public Welfare (S. Rept. 1394). The bill passed the Senate, amended, on July 15, 1968. On October 10, 1968 the House concurred in Senate amendments Nos. 2, 4, 6, and 7, and concurred, each with an amendment, in Senate amendments Nos. 1, 3, and 5. On October 11, 1968, the Senate concurred in the House amendments to the Senate amendments Nos. 1, 3, and 5. The act was approved on October 23, 1968, and became Public Law 90–631.

B. DIGEST OF THE ACT

The act provides that a veteran who is eligible under the current "GI bill of rights" (Public Law 89–358) and who received benefits under the war orphans benefit program, the vocational rehabilitation program, or the World War II or Korean assistance (for an aggregate period under any two programs of 48 months). Provides that an eligible veteran shall be entitled to educational assistance for a period equal to one and a half months or the equivalent in part-time assistance for each month or fraction thereof of his service on active duty after January 31, 1955.

Liberalizes the farm cooperative training program by providing for part-time training and permits prescheduling of classroom courses to fall within 44 weeks of the year.

Authorizes the Veterans' Administration to reimburse State approval agencies (which examine and certify schools as acceptable for study under the GI bill) for administrative expenses.

Extends to widows of veterans whose deaths were service connected and to wives of veterans who are permanently and totally disabled because of a service-connected disability a program of education on the same basis as was extended to war orphans and children of such veterans by prior law. Provides for monthly payment of educational assistance allowances to veterans pursuing flight training.

C. TEXT OF THE LAW

Following is the text of Public Law 90–631.

82 Stat. 1331.

AN ACT To amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes

Veterans. Vocational rehabilitation. 72 Stat. 1171.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1502(b) of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "If the veteran has pursued an educational or training program under chapters 33 (prior to its repeal), 34 or 35 of this title, such program shall be utilized to the fullest extent practical in determining the character and duration of the vocational rehabilitation to be furnished him under this chapter."

Educational assistance. Eligibility. 80 Stat. 13.

(b) Section 1661 of title 38, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

"(a) Except as provided in subsection (c) and in the second sentence of this subsection, each eligible veteran shall be entitled to educational assistance under this chapter for a period of one and one-half months (or the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955. If an eligible veteran has served a period of 18 months or more on active duty after January 31, 1955, and has been released from such service under conditions that would satisfy his active duty obligation.

he shall be entitled to educational assistance under this chapter for a period of 36 months (or the equivalent thereof in part-time educational assistance).",

(2) by striking out subsections (b) and (d),

(3) by redesignating subsection (c) as subsection (b), and

(4) by adding at the end thereof the following new subsection:

"(c) Except as provided in subsection (b) and in section 1678 of this title, no eligible veteran shall receive educational assistance under this chapter in excess of thirty-six months."

(c) Section 1711 of title 38, United States Code, is amended by striking out subsections (b) and (c), and by redesignating subsection (d) as subsection (b). 72 Stat. 1194; 78 Stat. 297.

(d) (1) Subchapter II of chapter 36 of title 38, United States Code, is amended by adding at the end thereof the following new section: 80 Stat. 21–23.

"§ 1791. Limitation on period of assistance under two or more programs

"The aggregate period for which any person may receive assistance under two or more of the laws listed below—

"(1) parts VII or VIII, Veterans Regulation numbered 1(a), as amended; 38 USC 1952. Ed., ch. 12A; 72 Stat. 1272. 66 Stat. 663. 70 Stat. 411. 38 USC 1501, 1651, 1701, 1601.

"(2) title II of the Veterans' Readjustment Assistance Act of 1952;

"(3) the War Orphans' Educational Assistance Act of 1956;

"(4) Chapters 31, 34, and 35 of this title, and the former chapter 33

may not exceed forty-eight months (or the part-time equivalent thereof), but this section shall not be deemed to limit the period for which assistance may be received under chapter 31 alone."

(2) The table of sections of chapter 36 of title 38, United States Code, is amended by adding at the end thereof the following: 72 Stat. 1193. 38 USC 1701.

"1791. Limitation on period of assistance under two or more programs."

Sec. 2 (a) (1) Subchapter I of chapter 35 of title 38, United States Code, is amended by inserting immediately before section 1701 the following new section:

"§ 1700. Purpose

"The Congress hereby declares that the educational program established by this chapter is for the purpose of providing opportunities for education to children whose education would otherwise be impeded or interrupted by reason of the disability or death of a parent from a disease or injury incurred or aggravated in the Armed Forces after the beginning of the Spanish-American War, and for the purpose of aiding such children in attaining the educational status which they might normally have aspired to and obtained but for the disability or death of War orphans' educational assistance.

such parent. The Congress further declares that the educational program extended to the widows of veterans who died of service-connected disabilities and to wives of veterans with a service-connected total disability permanent in nature is for the purpose of assisting them in preparing to support themselves and their families at a standard of living level which the veteran, but for his death or service disability, could have expected to provide for his family."

(2) The table of sections of chapter 35 of title 38, United States Code, is amended by adding immediately before

"1701. Definitions.

the following:

"1700. Purpose."

72 Stat. 1193. (b) Paragraph (1) of section 1701(a) of title 38, United States Code, is amended to read as follows:

"(1) The term 'eligible person' means—

"(A) a child of a person who—

"(i) died of a service-connected disability, or

"(ii) has a total disability permanent in nature resulting from a service-connected disability, or who died while a disability so evaluated was in existence,

"(B) the widow of any person who died of a service-connected disability, or

"(C) the wife of any person who has a total disability permanent in nature resulting from a service-connected disability, or the widow of a veteran who died while a disability so evaluated was in existence,

arising out of active military, naval, or air service after the beginning of the Spanish-American War, but only if such service did not terminate under dishonorable conditions. The standards and criteria for determining whether or not a disability arising out of such service is service connected shall be those applicable under chapter 11 of this title."

78 Stat. 297. (c) Subsection (d) of section 1701 of title 38, United States Code, is amended to read as follows:

"(d) No eligible person may be afforded educational assistance under this chapter unless he was discharged or released after each period he was on duty with the Armed Forces under conditions other than dishonorable, or while he is on duty with the Armed Forces."

Ante, p. 1331. (d) Subsection (b) of section 1711 of title 38, United States Code (as redesignated by subsection (c) of the first section of this Act), is amended to read as follows:

"(b) If any eligible person pursuing a program of education, or of special restorative training, under this chapter ceases to be an 'eligible person' because—

"(1) the parent or spouse from whom eligibility is derived is found no longer to have a 'total disability permanent in nature', as defined in section 1701(a)(10) of this title, or

"(2) she, as an eligible person under section 1701(a)(1)

(C) of this title, is divorced, without fault on her part, from the person upon whose disability her eligibility is based,

82 Stat. 1333.

then such eligible person (if he or she has sufficient remaining entitlement) may, nevertheless, be afforded educational assistance under this chapter until the end of the quarter or semester for which enrolled if the educational institution in which he or she is enrolled is operated on a quarter or semester system, or if the educational institution is not so operated until the end of the course, or until nine weeks have expired, whichever first occurs."

(e) Section 1712 of title 38, United States Code, is amended—

72 Stat. 1194.

(1) by inserting immediately after "eligible person" the first place where it appears in subsection (a) thereof the following: "(within the meaning of section 1701(a)(1)(A))", and

(2) by amending subsection (b) thereof to read as follows:

"(b) No person made eligible by section 1701(a)(1)(B) or (C) of this chapter may be afforded educational assistance under this chapter beyond eight years after whichever last occurs:

"(1) the date on which the Administrator first finds the spouse from whom eligibility is derived has a service-connected total disability permanent in nature, or

"(2) the date of death of the spouse from whom eligibility is derived."

(f) In the case of any person who is an eligible person by reason of subparagraph (B) or (C) of section 1701(a)(1) of title 38, United States Code (as added by subsection (b) of this section), if the date of death or the date of the determination of service-connected total disability permanent in nature of the person from whom eligibility is derived occurred before the effective date of this section, the eight-year delimiting period referred to in section 1712(b) of such title (as amended by subsection (e)(2) of this section) shall run from such effective date.

(g) Section 1720 of title 38, United States Code, is amended— 72 Stat. 1195.

(1) by inserting "(a)" immediately before the first word thereof,

(2) by inserting in the first sentence thereof immediately after "assistance" and before the comma the following: "for a person eligible within the meaning of section 1701(a)(1)(A)"; and

(3) by adding at the end thereof the following new subsection:

"(b) The Administrator may, on request, arrange for educational counseling for persons eligible for educational assistance under section 1701(a)(1)(B) or (C) of this chapter."

(h)(1) The heading of chapter 35 of title 38, United States Code, is amended by inserting **"AND WIDOWS'"** immediately after **"WAR ORPHANS'"**.

(2) The analysis of part III of title 38, United States Code, and the analysis of such title, are each amended by striking out:

"35. War Orphan's Educational Assistance..1701"

and inserting in lieu thereof:

"35. War Orphans' and Widows' Educational Assistance..............1700".

80 Stat. 18. SEC. 3. (a) Paragraph (2) of section 1682(c) of title 38, United States Code, is amended to read as follows:

"(2) The period of entitlement of any eligible veteran who is pursuing any program of education exclusively by correspondence shall be charged with one month for each $130 which is paid to the veteran as an educational assistance allowance for such course."

(b) Section 1682 of title 38, United States Code, is amended—

(1) by inserting after "program" where it first appears in subsection (a)(2) the following: ", other than a 'farm cooperative' program,"; and

82 Stat. 1334. (2) by amending subsection (d) to read as follows:

"(d)(1) An eligible veteran who is enrolled in an educational institution for a 'farm cooperative' program consisting of institutional agricultural courses prescheduled to fall within 44 weeks of any period of 12 consecutive months and who pursues such program on—

"(A) a full-time basis (a minimum of 12 clock hours per week),

"(B) a three-quarter-time basis (a minimum of 9 clock hours per week), or

"(C) a half-time basis (a minimum of 6 clock hours per week)

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in the table in paragraph (2) of this subsection, if such eligible veteran is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator.

"(2) The monthly educational assistance allowance of an eligible veteran pursuing a farm cooperative program under this chapter shall be paid as set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the basis shown in column I:

"Column I	Column II	Column III	Column IV	Column V
Basic	No dependents	One dependent	Two dependents	More than two dependents
				The amount in Column IV, plus the following for each dependent in excess of two:
Full-time	$105	$125	$145	$7
Three-quarter-time	75	90	105	5
Half-time	50	60	70	3".

77 Stat. 159. SEC. 4. Section 1774 of title 38, United States Code, is amended—

(1) by inserting "(a)" immediately before the first word thereof,

(2) by inserting immediately after "expenses of salary and travel incurred by employees of such agencies" in the first sentence thereof the following: "and an allowance for

administrative expenses in accordance with the formula contained in subsection (b) of this section", and

(3) by adding at the end thereof the following new subsection:

"(b) The allowance for administrative expenses incurred pursuant to subsection (a) of this section shall be paid in accordance with the following formula:

"Total salary cost reimbursable under this section	Allowance for administrative expense
$5,000 or less	$250.
Over $5,000 but not exceeding $10,000	$450.
Over $10,000 but not exceeding $35,000	$450 for the first $10,000 plus $400 for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000	$2,625.
Over $40,000 but not exceeding $75,000	$2,625 for the first $40,000 plus $350 for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000	$5,225.
Over $80,000	$5,225 for the first $80,000 plus $300 for each additional $5,000 or fraction thereof."

SEC. 5. The second sentence of section 1677(b) of title 38, United States Code, is amended to read as follows: "Such allowance shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month."

82 Stat. 1335.
81 Stat. 185.

SEC. 6. (a) The amendments made by the first section and sections 2, 3, and 5 of this Act shall take effect on the first day of the second calendar month which begins after the date of the enactment of this Act.

Ante, p. 1331, 1333, 1335.

(b) The amendments made by section 4 of this Act shall apply with respect to contracts and agreements entered into under section 1774 of the title 38, United States Code, effective for periods beginning after June 30, 1968.

Ante, p. 1334.

14. AMENDMENTS TO MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

(Public Law 90-636, approved October 24, 1968)

A. LEGISLATIVE HISTORY

S. 2938, a bill to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended, was introduced on February 7, 1968, by Senator Joseph S. Clark, of Pennsylvania, for himself and 33 other Senators. The bill was referred to the Committee on Labor and Public Welfare.

A companion bill, H.R. 15045, was introduced on February 1, 1968, by Representative Elmer J. Holland, of Pennsylvania. This bill was referred to the Committee on Education and Labor.

Hearings on S. 2938 and other bills proposing training and employment legislation were held before the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare on March 13 and April 1, 3, 5, 30, and May 7, 9, 10, 13, 14, 15, and 24, 1968. The record of the hearings was printed in a volume of 726 pages, and an appendix of 75 pages.

Hearings on H.R. 15045 were held before the Select Committee on Labor of the Committee on Education and Labor on May 15 and 16, 1968. The record of the hearings was printed in a volume of 142 pages.

H.R. 115045 was reported in the House on June 27, 1968 (H. Rept. 1595). S. 2938 was reported in the Senate on July 20, 1968 (S. Rept. 1445).

H.R. 15045 passed the House on September 5, 1968. S. 2938 passed the Senate on October 7, 1968. It passed the House on October 10, 1968. It was approved by the President on October 24, 1968, and became Public Law 90–636.

B. Digest of the Act

The act extends and amends a number of expiring provisions under the Manpower Development and Training Act of 1962, as amended. Public Law 90–636 also adds to the Manpower Development and Training Act of 1962, as amended: (1) a new section relating to training and technical assistance, (2) a new title (title IV) relating to seasonal employment in the construction industry, and (3) a new title (title V) relating to supplementary State programs.

C. Text of the Law

Following is the text of Public Law 90–636.

AN ACT To extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes

Manpower Development and Training Act of 1962, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962 is amended as follows:

80 Stat. 1434.

(1) Section 104(a) of the Act (LABOR MOBILITY DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

42 USC 2572b.
42 USC 2572c.

(2) Section 105 of the Act (TRAINEE PLACEMENT ASSISTANCE DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

42 USC 2610b.

(3) Section 251 of the Act (PART D—CORRECTIONAL INSTITUTIONS) is amended by striking out "1969" in the first sentence of such section, and inserting in lieu thereof "1970";

42 USC 2614.

(4) Section 304(d) of the Act is amended by striking out "1968" and "1969", and inserting respectively in lieu thereof "1969" and "1970";

79 Stat. 80.
42 USC 2620.

(5) Sections 310(a) and 310(b) of the Act are amended by striking out "1969' wherever it appears, and inserting in lieu thereof "1972".

76 Stat. 25.

79 Stat. 75;
42 USC 2573.

SEC. 2. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"SEC. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"(2) job opportunities and skill requirements;

"(3) labor supply in various skills;

"(4) occupational outlook and employment trends in various occupations; and

"(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

42 USC 2701 note, 1305, 3121 note.
29 USC 49 *et seq.*
20 USC 35 note, 31 note.
42 USC 3301 note.
82 Stat. 1353.

"(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations; and between such agencies and organizations on a National, State, local or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

42 USC 2574.

42 USC 2571, 2581, 2611.

"(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section."

42 USC 2582.

SEC. 3. (a) Section 202(f) of the Manpower Development and Training Act of 1962 is amended by striking "(i)" and inserting in lieu thereof "(j)".

42 USC 2601.

(b) The first sentence of section 231 of such Act is amended by striking "(i)" and inserting in lieu thereof "(j)."

Training allowances.
42 USC 2583.

SEC. 4. Section 203(c) of the Manpower Development and Training Act of 1962 is amended by striking out the words "at a rate not in excess of $20 a week" and by inserting in lieu thereof the following: "at a rate which shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available".

SEC. 5. (a) Section 203(a) of the Manpower Development and Training Act of 1962 is amended by striking out "and the Virgin Islands" and inserting in lieu thereof ", the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands".

Agreements with States.
42 USC 2601.

(b) The third sentence of section 231 of such Act is amended by inserting after "purposes of the Act" the following: ", and except that the State agency for the Trust Territory of the Pacific Islands may be paid up to 100 per centum of such costs".

"State."
42 USC 2618.

(c) Section 308 of such Act is amended by striking out "and Guam" and inserting in lieu thereof "Guam, American Samoa, and the Trust Territory of the Pacific Islands".

On-the-job training.
42 USC 2584.

SEC. 6. Section 204(a) of the Manpower Development and Training Act of 1962 is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That the Secretary shall not refuse to receive for consideration any application from an applicant who desires to conduct a training program under this part".

Skills center.

SEC. 7. Section 231 of the Manpower Development and Training Act of 1962 is amended by renumbering the existing provisions (a) and by adding new subsection (b) as follows:

42 USC 2571, 2581.

82 Stat. 1354.

"(b) In making arrangements for institutional training financed in whole or in part with funds appropriated to carry out title I, and title II, parts A, B, C, and D of this Act, including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, priority shall be given to the use of skills centers as established under the authority of this section."

Funds, apportionment.
42 USC 2611.

SEC. 8. The first sentence of section 301 of the Manpower Development and Training Act of 1962 is amended by adding before the period a comma and the following: "but in no event shall any State be apportioned less than $750,000; except that for the Virgin Islands, Guam, and American Samoa, such amount shall be $100,000 each".

Secretary's reapportionment of funds; limitation.

SEC. 9. Section 301 of the Manpower Development and Training Act of 1962 is amended (1) by striking out "sixth month" in the proviso therein and inserting in lieu thereof "ninth month", (2) by striking out "30 days" in such proviso and by inserting in lieu thereof "15 days", and (3) by striking out in such proviso ", except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year".

State administration of funds.

SEC. 10. Section 301 of the Manpower Development and Training Act of 1962 is further amended by inserting "(a)" immediately after "SEC. 301." and by adding the following new subsection at the end thereof:

"(b) Where the Secretaries of Labor and Health, Education, and Welfare have approved a plan submitted by a State council with whom they have an agreement under this Act, which plan may be submitted under a comprehensive area manpower planning system or under such other planning requirements as the Secretaries may specify, such State agency shall have authority to approve (1) project applications for an amount not to exceed 20 per centum of the funds apportioned to such State under the first sentence of section 301(a) without further project approval by the Federal Government; and (2) all other project applications which conform to such State plan, unless either of the Secretaries disapprove such project applications within 30 days following receipt of such applications."

42 USC 2618.

SEC. 11. The Manpower Development and Training Act of 1962 is amended by inserting after section 308 the following new section:

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 309. (a) In carrying out the responsibilities under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two years.

42 USC 2571, 2581, 2611.

"(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and assistance authorized by this section."

SEC. 12. The Manpower Development and Training Act of 1962 is further amended by adding at the end thereof a new title as follows:

"TITLE IV—SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

82 Stat. 1355.

"Sec. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry, and a significant portion of all unemployment, that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

Study.

"(b) It is therefore the purpose of this title to provide for the conduct of a study of seasonality in the construction industry, with special attention to its implications for national manpower policy.

Report to President and Congress.

"Sec. 402. The Secretary of Labor and the Secretary of Commerce, jointly, shall study, investigate, conduct research, and prepare a report containing their findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President and to the Congress no later than December 31, 1969.

Consultation with officials of Federal agencies.

"Sec. 403. Matters which the Secretary of Labor and the Secretary of Commerce, after consultation with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, architects, and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be limited to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

"(a) the application of modern techniques to reduce the influence of weather on construction activity;

"(b) the resolution of technical problems which have not been solved by existing research and development activities;

"(c) possible changes in contract procedures in allocation cycles; and

"(d) improved planning and scheduling of construction projects."

SEC. 13. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

"TITLE V—SUPPLEMENTARY STATE PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 501. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

82 Stat. 1356.

"AUTHORIZATION FOR GRANTS

"SEC. 502. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

"APPLICATIONS AND CONDITIONS

"SEC. 503. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

"(b) No grant may be made under the provisions of this title unless the Secretary finds that—

"(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

"(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the cost of such efforts and activities under this title.

"RULES AND REGULATIONS

"Sec. 504. The Secretary may prescribe such rules and regulations under this title as he deems necessary.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 505. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title."

CHAPTER III. BILLS REPORTED FROM OTHER COMMITTEES OF THE SENATE

Ninetieth Congress, second session, 1968, enactments concerning education and training which, in the earlier form of bills, were reported from committees of the Senate other than the Committee on Labor and Public Welfare, or which were not reported in the Senate, included the following—in chronological order of approval by the President.[1] Some of these measures were considered by the Committee on Labor and Public Welfare as noted.

1. INCREASE OF AMOUNTS AUTHORIZED FOR INDIAN ADULT VOCATIONAL EDUCATION

(Public Law 90–252, approved February 3, 1968)

A. Legislative History

S. 306 was introduced by Senator Henry M. Jackson, of Washington, on January 12, 1967. The bill was referred to the Committee on Interior and Insular Affairs. It was reported in the Senate on July 31, 1967 (S. Rept. 460). It passed the Senate on August 2, 1967, and was referred to the House Committee on Interior and Insular Affairs on August 3, 1967. It was reported in the House on October 2, 1967 (H. Rept. 725). The bill passed the House on January 24, 1968. It was approved by the President on February 3, 1968 and became Public Law 90–252.

B. Digest of the Act

The Act increases from $15 million to $25 million the amounts authorized for Indian adult vocational education.

C. Text of the Law

Following is the text of Public Law 90–252.

AN ACT To increase the amounts authorized for Indian adult vocational education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (25 U.S.C. 309a), is amended by striking out "$15,000,000" and inserting in lieu thereof "$25,000,000".

82 Stat. 4.
Indians.
Vocational education.
77 Stat. 471; 79 Stat. 74.

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[1] The only appropriation acts included in this report are those providing specific amounts for the fiscal years 1967 and 1968 for some of the larger programs concerning or affecting education or training. All of the executive departments and almost all other agencies of the Federal Government administer some educational or training programs. However, funds made available to a department or other agency for eductional or training purposes are often included in appropriations for broader activities and are not separately identified in appropriation acts.

2. NATIONAL VISITOR CENTER FACILITIES ACT OF 1968

(Provisions Specifically Relating to Students and to Education)

(Public Law 90-264, approved March 12, 1968)

A. Legislative History

H. R. 12603, the "National Visitor Center Act of 1967," was introduced on August 24, 1967, by Representative Kenneth J. Gray, of Illinois. The bill was referred to the Committee on Public Works.

Hearings on H.R. 12603 and other bills were held before the Subcommittee on Public Buildings and Grounds of the House Committee on Public Works on September 12 and 13 and October 11 and 12, 1967. The record of the hearings was printed in a volume of 280 pages.

H.R. 12603 was reported in the House on October 23, 1967 (H. Rept. 810). It passed the House on November 27, 1967.

Hearings on H.R. 12603 and a similar bill, S. 2391, introduced by Senator Joseph D. Tydings, of Maryland, and others, were held before the Subcommittee on Public Buildings and Grounds of the Senate Committee on Public Works on December 5 and 14, 1967. The record of the hearings was printed in a volume of 120 pages.

H.R. 12603 was reported in the Senate, from the Committee on Public Works, on February 5, 1968 (S. Rept. 959). It passed the Senate, amended, on February 8, 1968. The House asked for a conference on February 20, 1968. The Senate agreed to a conference on February 21, 1968. The Senate agreed to the conference report and the conference report was filed on February 28, 1968 (H. Rept. 1131). The House agreed to the conference report on February 29, 1968. The act was approved by the President on March 12, 1968, and became Public Law 90-264.

B. Some Press Comments

In an article headlined "President Calls New Facilities Tourist Boon," the *Washington Star* of February 12, 1968, stated that the National Visitors Center will include in its offerings "through exhibits, films, lectures and displays—an orientation in the history and operation of the Federal Government."

In the *Washington Post* of February 13, 1968, staff writer Elsie Carper said that (educational) features of the Center will include a diorama depicting places of interest in the city, two theaters and a cyclorama, exhibit areas, and a student hostel.

C. Digest of Certain Provisions of the Act

Title II of the act establishes an advisory commission which shall include in its activities the conduct of continuing investigations and studies of sites and plans to provide additional facilities and services for visitors and students coming to the Nation's Capital.

Title III of the act provides for the establishment, in the Capitol Building, of "an educational and informational center and information and distribution stations to afford visitors an opportunity to acquire: (1) information relative to congressional offices; (2) assistance relative to their visit to the Capitol, (3) pamphlets, books, drawings, slides and photographs, and related materials, and (4) information about the Capitol and the history of the Capitol Building and past and present Congresses.

D. Text of Certain Provisions of the Law

Following is the text of certain provisions of Public Law 90-264 specifically relating to students and to education.

AN ACT To supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Visitor Center Facilities Act of 1968".

National Visitor Center Facilities Act of 1968.

* * * * *

TITLE II—ADVISORY COMMISSION

National Visitor Facilities Advisory Commission. Establishment.

SEC. 201. There is hereby created a National Visitor Facilities Advisory Commission (hereafter in this Act referred to as the "Commission") which shall (1) conduct a continuing review of the National Visitor Center established pursuant to title I of this Act, (2) conduct continuing investigations and studies of sites and plans to provide additional facilities and services for visitors and students coming to the Nation's Capital, and (3) advise the Secretary and the Administrator with respect to the planning, construction, acquisition, and operation of all such visitor facilities.

* * * * *

TITLE III—CAPITOL VISITOR CENTER

SEC. 301. Notwithstanding any other provision of law, the Architect of the Capitol, in consultation with the House Office Building Commission and the Senate Office Building Commission, is hereby authorized and directed to provide adequate space and facilities in the Capitol Building for an educational and informational center and information and distribution stations to afford visitors to the Capitol Building an opportunity to acquire (1) information relative to Congressional offices, (2) assistance relative to their visit to the Capitol, (3) pamphlets, books, drawings, slides and photographs, and related materials, and (4) information about the Capitol and the history of the Capitol Building and past and present Congresses. All materials distributed by such educational and informational center and such stations shall first be approved by the Architect of the Capitol, after consultation with the House Committee on House Administration, the Senate Committee on Rules and Administration, the United States Capitol Historical Society,

82 Stat. 46.

and such other educational and historical groups as the Architect of the Capitol deems appropriate. The Architect of the Capitol is hereby authorized to enter into such agreements as may be reasonably necessary to operate such educational and informational center and stations.

3. CONVEYANCE OF CERTAIN U.S. PROPERTY TO THE ALABAMA SPACE SCIENCE EXHIBIT

(Public Law 90–276, approved March 28, 1968)

A. Legislative History

S. 793 was introduced on February 1, 1967 by Senator John J. Sparkman, of Alabama. The bill was referred to the Committee on Armed Services. It was reported in the Senate on December 12, 1967 (S. Rept. 925). It passed the Senate on January 18, 1968 and was referred to the House Committee on Armed Services on January 22, 1968. On March 7, 1968 the bill was reported in the House (H. Rept. 1161.) Under suspension of the rules, it passed the House on March 18, 1968. The act was approved by the President on March 28, 1968 and became Public Law 90–276.

B. Digest of the Act

The act provides for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission for use as a permanent site for the Alabama Space Science Exhibit.

C. Text of the Law

Following is the text of Public Law 90–276.

AN ACT To provide for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 3 of this Act, the Secretary of the Army is authorized to convey without monetary consideration to the Alabama Space Science Exhibit Commission (an agency of the State of Alabama) all right, title, and interest of the United States in and to the real property described in section 2 of this Act for use as a permanent site for the Alabama Space Science Exhibit.

Alabama Space Science Exhibit Commission. Conveyance.

Sec. 2. The real property referred to in the first section of this Act is generally described as follows:

A certain tract or parcel of land containing 35.69 acres, more or less, lying and being in the northwest portion of Redstone Arsenal, in the north half of section 8, township 4 south, range 1 west, Huntsville meridian, Madison County, Alabama, lying south of the centerline of Bob Wallace Avenue, southeasterly of the southern right-of-way line of Alabama Highway 20, and northerly of a TVA power transmission line. The exact description of which is to be determined by an accurate survey and approved by the Secretary of the Army.

SEC. 3. The conveyance provided for by the first section of this Act shall be subject to the condition that the real property so conveyed shall be used by the State of Alabama as a permanent site for an Alabama Space Science Exhibit to display suitable public exhibits of United States weaponry and allied subjects, developments of the National Aeronautics and Space Administration, and space-oriented exhibits of other United States Government departments, agencies, and instrumentalities and if such property is not used for such purpose, all right, title, and interest in and to such real property shall revert to the United States, which shall have the right of immediate entry thereon, and to such other conditions as the Secretary of the Army may prescribe to protect the interest of the United States.

82 Stat. 68
82 Stat. 69

4. DESIGNATION OF "NATIONAL SCHOOL SAFETY PATROL WEEK"

(Public Law 90-277, approved March 29, 1968)

A. LEGISLATIVE HISTORY

S.J. Res. 72, a joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week," was introduced on April 14, 1967 by Senator Abraham A. Ribicoff, of Connecticut. The joint resolution was referred to the Committee on the Judiciary. It was reported in the Senate on May 17, 1967 (S. Rept. 246). It passed the Senate on May 18, 1967, and was referred to the House Committee on the Judiciary on May 22, 1967.

The committee was discharged, and the joint resolution passed the House, amended, on March 4, 1968. On March 20, 1968 the Senate agreed to the House amendments. The joint resolution was approved by the President on March 29, 1968 and became Public Law 90-277.

B. DIGEST OF THE JOINT RESOLUTION

The joint resolution, as approved, provided for the designation of the second week of May of 1968 as "National School Safety Patrol Week."

C. TEXT OF THE LAW

Following is the text of Public Law 90-277.

JOINT RESOLUTION To provide for the designation of the second week of May of 1968 as "National School Safety Patrol Week"

82 Stat. 69.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second week of May of 1968 is hereby designated as "National School Safety Patrol Week" and the President is requested to issue a proclamation calling upon all people of the United States for the observance of such a week with appropriate proceedings and ceremonies.

National School Safety Patrol Week. Proclamation.

5. CONVEYANCE OF CERTAIN INDIAN SCHOOL LANDS TO THE CHEROKEE NATION

(Public Law 90–279, approved March 30, 1968)

A. LEGISLATIVE HISTORY

H.R. 536, relating to certain Chilocco Indian school lands, was introduced on January 10, 1967, by Representative Ed Edmondson, of Oklahoma. The bill was referred to the Committee on Interior and Insular Affairs. It was reported from that committee on May 29, 1967 (H. Rept. 325). It passed the House on June 5, 1967. It was reported in the Senate, from the Committee on Interior and Insular Affairs, on August 21, 1967 (S. Rept. 535). It passed the Senate, amended, on August 23, 1967.

On October 4, 1967, the House asked for a conference. On November 6, 1967, the Senate agreed to a conference. The conference report was filed on March 5, 1968 (H. Rept. 1146). The Senate agreed to the conference report on March 11, 1968. The House agreed to the conference reported on March 13, 1968. The act was approved on March 30, 1968, and became Public Law 90–279.

B. DIGEST OF THE ACT

The act conveys about 2,668 acres of land determined to be no longer needed for the Cherokee Indian School in Oklahoma to the Cherokee Nation upon payment of $3.75 per acre, the original cost of the land.

C. TEXT OF THE LAW

Following is the text of Public Law 90–279.

82 Stat. 70.
Chilocco Indian School lands.

AN ACT To convey certain Chilocco Indian School lands at Chilocco, Oklahoma, Cherokee Nation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in 2,667.94 acres, more or less, of the following described land, which has been determined to be surplus to the needs of the Chilocco Indian School, are hereby conveyed to the Cherokee Nation upon payment therefor at the rate of $3.75 per acre, the original cost of the land:

INDIAN MERIDIAN

TOWNSHIP 29 NORTH, RANGE 2 EAST

Section 13, lots 1, 2, 5, 6, and 7, southwest quarter northeast quarter, west half southeast quarter; and the parts of lot 3, southeast quarter northwest quarter, and east half southwest quarter lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 339.53 acres.

Section 16, lots 3 and 4, south half northwest quarter, and southwest quarter, 313.85 acres.

Section 17, lots 1 and 2 (except that part described as "Beginning at a point 39 rods south of the northeast corner of the northeast quarter section 17; township 29 north, range 2 east, Indian meridian; thence 24 rods south, thence 33⅓ rods west, thence 24 rods north, thence 33⅓ rods east to point of beginning, containing 5 acres"), lots 5 to 7, inclusive, southeast quarter northeast quarter, and east half southeast quarter, 313.62 acres.

Section 20, lots 1 and 2 and east half northeast quarter (except that part described as "Beginning at a point 67 rods north of southeast corner of the northeast quarter section 20, township 29 north, range 2 east, Indian meridian, thence north 20 rods, thence west 50 rods, thence south 10 rods, thence east 20 rods, thence south 10 rods, thence east 30 rods to point of beginning, containing 5 acres"), lots 3 and 4, and east half southeast quarter, 316.36 acres.

Section 21, those parts of the northwest quarter and southwest quarter lying west of the west right-of-way line of the S.L. & S.F. Railroad, 150.26 acres.

Section 24, lots 1 to 4, inclusive, west half northeast quarter, west half southeast quarter, and those parts of the east half northwest quarter and southwest quarter lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 398.39 acres.

Section 25, lots 1 to 7, inclusive, west half northeast quarter, northwest quarter southeast quarter, and those parts of the northwest quarter and north half southwest quarter lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 583.25 acres.

Section 26, that part of lot 1 lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 12.68 acres.

Section 29, north half southeast quarter and northeast quarter, 240.00 acres.

SEC. 2. The title of the Cherokee Nation to the land conveyed pursuant to this Act shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

6. FEDERAL SUPPORT OF EDUCATION OF INDIAN STUDENTS IN SECTARIAN INSTITUTIONS OF HIGHER EDUCATION

(Public Law 90–280, approved March 30, 1968)

A. Legislative History

S. 876 was introduced on February 7, 1967, by Senator Ernest Gruening, of Alaska, for himself and 10 other Senators. The bill was referred to the Committee on Interior and Insular Affairs. It was reported in the Senate on October 31, 1967 (S. Rept. 703). It passed the Senate on November 1, 1967, and was referred to the House Committee on Interior and Insular Affairs on November 2, 1967. It was reported in the House on March 5, 1968 (H. Rept. 1150). It passed the House on March 18, 1968. The act was approved on March 30, 1968, and became Public Law 90–280.

B. Digest of the Act

The act amends earlier legislation so as to permit the use of Federal funds for the education of Indian students in accredited sectarian schools offering vocational and technical training. The act, however, continues the prohibition in earlier legislation against use of Federal funds for the education of Indian children in elementary and secondary education programs in sectarian schools.

C. Text of the Law

Following is the text of Public Law 90–280.

82 Stat. 71.

An Act Relating to Federal support of education of Indian students in sectarian institutions of higher education.

Indians. Student education.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provision of section 21, Act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278), is repealed: "And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school."

Sec. 2. Funds hereafter appropriated to the Secretary of the Interior for the education of Indian children shall not be used for the education of such children in elementary and secondary education programs in sectarian schools. This prohibition shall not apply to the education of Indians in accredited institutions of higher education and in other accredited schools offering vocational and technical training, but no scholarship aid provided for an Indian student shall require him to attend an institution or school that is not of his own free choice, and such aid shall be, to the extent consistent with sound administration, extended to the student individually rather than to the institution or school.

7. DISTRICT OF COLUMBIA ELECTED BOARD OF EDUCATION ACT

(Public Law 90–292, approved April 22, 1968)

A. Legislative History

Hearings on H.R. 12454 and similar or identical bills to provide for the election of members of the board of education of the District of Columbia were held before the House Committee on the District of Columbia on August 24, 1967. The record of the hearings was printed in a volume of 66 pages.

H.R. 13042, a new bill to provide for the election of members of the Board of Education of the District of Columbia, was introduced on September 21, 1967, by Representative John L. McMillan, of South Carolina (for himself and 21 other Members of the House). The bill was referred to the Committee on the District of Columbia. On September 22, 1967, H.R. 13042 was reported in the House (H. Rept. 659). The bill passed the House on September 25, 1967.

In the Senate, hearings on H.R. 13042 and other bills were held before the Subcommittee on Public Health, Education, Welfare and Safety of the Committee on the District of Columbia on November 28, 1967. The record of the hearings was printed in a volume of 118 pages. H.R. 13042 was reported in the Senate on December 14, 1967 (S. Rept. 942). It passed the Senate, amended, on December 15, 1967, and the House asked for a conference on that date. On January 18, 1968, the Senate agreed to a conference. On March 29, 1968, the Senate agreed to the conference report. The conference report was filed on April 1, 1968 (H. Rept. 1232). The House agreed to the conference report on April 2, 1968. The act was approved on April 22, 1968, and became Public Law 90–292.

B. Digest of the Act

District of Columbia Elected Board of Education Act.—Vests the control of the public schools of the District of Columbia in a Board of Education consisting of 11 members, three of whom are to be elected at large, and one to be elected from each school election ward established under the District of Columbia Election Act for 4-year terms except for those first elected after this enactment.

Requires that each board member elected from a ward: (a) be a qualified elector in the ward from which he seeks election; (b) have resided in the ward at least one year preceding nomination; (c) have been an actual resident of the District of Columbia for 3 years preceding nomination; and (d) hold no other elective office, except to a national political convention.

Requires that each board member elected at large: (a) be a qualified elector in the District of Columbia; (b) have been an actual resident in the District for 3 years preceding nomination; and (c) hold no other elective office except to a national political convention.

Provides that no person may hold the office of member of the Board of Education and also be an officer or employee of the District of Columbia Government.

Sets forth procedures for filing nomination and conducting the elections of the Board of Education. Provides for runoff elections.

Provides that the first election be held on November 5, 1968, and subsequent elections in November of odd numbered years.

Provides that members receive compensation at a rate fixed by the District of Columbia Council not to exceed $1,200 per annum.

C. Text of the Law

Following is the text of Public Law 90–292.

AN ACT

To amend the Act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia. **82 Stat. 101.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

District of Columbia Elected Board of Education Act.

SECTION 1. This Act may be cited as the "District of Columbia Elected Board of Education Act."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares that the school is a focal point of neighborhood and community activity; that the merit of its schools and educational system is a primary index to the merit of the community; and that the education of their children is a municipal matter of primary and personal concern to the citizens of a community. It is therefore the purpose of this Act to give the citizens of the Nation's Capital a direct voice in the development and conduct of the public educational system of the District of Columbia; to provide organizational arrangements whereby educational programs may be improved and coordinated with other municipal programs; and to make District schools centers of neighborhood and community life.

AMENDMENTS TO DISTRICT OF COLUMBIA BOARD OF EDUCATION LAW

SEC. 3. (a) Section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia", approved June 20, 1906 (D.C. Code, sec. 31–101), is amended by striking out the first paragraph of subsection (a) and inserting in lieu thereof the following:

34 Stat. 316; 71 Stat. 340. Members, election.

"SEC. 2. (a) The control of the public schools of the District of Columbia is vested in a Board of Education to consist of eleven elected members, three of whom are to be elected at large, and one to be elected from each of the eight school election wards established under the District of Columbia Election Act. The election of the members of the Board of Education shall be conducted on a nonpartisan basis and in accordance with such Act.

69 Stat. 699; *Post*, p. 106. D.C. Code 1–1101 *et seq.* Term of office. *Post*, p. 106.

"(b)(1) Except as provided in paragraph (2) of this subsection 10(e) of the District of Columbia Election Act, the term of office of a member of the Board of Education shall be four years.

"(2) Of the members of the Board of Education first elected after the date of the enactment of this paragraph, three members elected from wards and two members elected at large shall serve for terms ending January 26, 1970, and the other six members shall serve for terms ending January 24, 1972. The members who shall serve for terms ending January 26, 1970, shall be determined by lots cast before the Board of Elections of the District of Columbia upon a date set and pursuant to regulation issued by the Board of Elections.

"(3) The term of office of a member of the Board of Education elected at a general election shall begin at noon on the fourth Monday in January next following such election. A member may serve more than one term.

Compensation.

"(4) The members may receive compensation at a rate fixed by the District of Columbia Council, which shall not exceed $1,200 per annum.

82 Stat. 102.
Qualifications.

69 Stat. 699; 72 Stat. 820.
D.C. Code 1–1102.

"(c)(1) Each member of the Board of Education elected from a ward shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the school election ward from which he seeks election, (B) have, for the one-year period immediately preceding his nomination, resided in the school election ward from which he is nominated, (C) have, during the three years next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (D) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

"(2) Each member of the Board of Education elected at large shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the District of Columbia, (B) have, during the three-year period next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (C) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

"(3) No individual may hold the office of member of the Board of Education and also be an officer or employee of the District of Columbia government or of the Board of Education. A member will forfeit his office upon failure to maintain the qualification required by this paragraph.

Vacancies.

"(d) Whenever, before the end of his term, a member of the Board of Education dies, resigns, or becomes unable to serve or a member-elect of the Board of Education fails to take office, such vacancy shall be filled as provided in section 10(e) of the District of Columbia Election Act.

***Post*, p. 106.**
Officers; meetings.

"(e) The Board of Education shall select a President from among its members at the first meeting of the Board of Education held on or after the date (prescribed in paragraph (3) of subsection (b) of this section) on which members are to take office after each general election. The Board of Education may appoint a secretary, who shall not be a member of the Board of Education. The Board of Education shall hold stated meetings at least once a month during the school year and such additional meetings as it may from time to time provide for. Meetings of the Board of Education shall be open to the public; except that the Board of Education (1) may close to the public any meeting (or part thereof) dealing with the appointment, promotion, transfer, or termination of employment of, or any other related matter involving, any employee of the Board of Education, and (2) may close to the public any meeting (or part thereof) dealing with any other matter but no final policy decision on such other matter may be made by the Board of Education in a meeting (or part thereof) closed to the public."

Post, p. 103.

(b) The second, third, fourth, and fifth paragraphs of such section 2(a) are redesignated as subsections (f), (g), (h), and (i), respectively.

Repeal.
71 Stat. 341.
D.C. Code 31-101.

(c) Subsection (b) of such section 2 is repealed.

(d) (1) The provisions of the Act of June 20, 1906, listed in paragraph (2) of this subsection, are amended by striking out the terms "board of education" and "board" each place they appear in such provisions and inserting in lieu thereof "Board of Education" and "Board", respectively.

82 Stat. 103.
34 Stat. 317;
45 Stat. 1139.

(2) The provisions of the Act of June 20, 1906, amended by paragraph (1) of this subsection are as follows:

(A) Subsections (f), (g), (h), and (i) of section 2 of such Act (as so redesignated by subsection (b) of this section) (D.C. Code, secs. 31-102, 31-103, 31-104, 31-101).

(B) Section 3 of such Act (D.C. Code, secs. 31-105, 31-108, 31-110, 31-111).

(C) The first paragraph of section 5 of such Act (D.C. Code, sec. 31-112).

(D) Section 12 of such Act (D.C. Code, sec. 31-117).

AMENDMENTS TO DISTRICT OF COLUMBIA ELECTION LAW

SEC. 4. The Act entitled "An Act to regulate the election in the District of Columbia of electors of President and Vice President of the United States and of delegates representing the District of Columbia to national political conventions, and for other purposes", approved August 12, 1955 (D.C. Code, sec. 1-1101 et seq.), is amended as follows:

69 Stat. 699;
75 Stat. 817.

(1) The first section of such Act (D.C. Code, sec. 1-1101) is amended by inserting immediately after "Vice President of the United States" the following: ", the members of the Board of Education,".

(2) Section 2 of such Act (D.C. Code, sec. 1-1102) is amended by adding at the end thereof the following new paragraphs:

"Ward."

"(4) The term 'ward' means a school election ward established by the Board under section 5(a)(4) of this Act.

"Board of Education."

"(5) The term 'Board of Education' means the Board of Education of the District."

School election wards.

(3) Paragraph (4) of section 5(a) of such Act (D.C. Code, sec. 1-1105(a)(4)) is amended by inserting immediately before the semicolon the following: "; divide the District into eight compact and contiguous school election wards which shall include such numbers of precincts as will provide approximately equal population within each ward; and reapportion the wards accordingly after each decennial census".

Registration.
75 Stat. 817.

(4) Section 7 of such Act (D.C. Code, sec. 1-1107) is amended—

(A) by striking out in subsection (a) "he registers in the District during the year in which such election is to be held." and inserting in lieu thereof "he is duly registered in the District on the date of such election. A person shall be considered duly registered in the District if he registers under this Act after January 1, 1968, and if after the date he registers no four-year period elapses during which he fails to vote in an election held under this Act,";

(B) by amending subsection (d) to read as follows:

69 Stat. 701; 75 Stat. 818.

"(d) (1) The registry shall be open during reasonable hours, except that the registry shall not be open (A) during the thirty-day period ending on the first Tuesday following the first Monday in November of each odd-numbered calendar year and of each presidential election year, (B) during the thirty-day period ending on the first Tuesday in May in each presidential election year, and (C) during such other period as the Board may provide in the case of a special election.

"(2) The Board may close the registry on Saturdays, Sundays, and holidays. While the registry is open, any person may apply for registration or change his registration."; and

(C) by striking out in subsection (e) "Municipal Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of General Sessions".

Nominations. 69 Stat. 701.

(5) Section 8 of such Act (D.C. Code, sec. 1-1108) is amended—

(A) by striking out in subsection (a) (1) "thirty days" and inserting in lieu thereof "forty-five days"; and

82 Stat. 104. 69 Stat. 701; 75 Stat. 818, 819.

(B) by adding the following new subsections at the end thereof:

"(h) (1) Except in the case of the three members of the Board of Education elected at large, the members of the Board of Education shall be elected by the qualified electors of the respective wards of the District from which the members have been nominated.

"(2) In the case of the three members of the Board of Education elected at large, each such member shall be elected by the qualified electors of the District.

Petitions, requirements; filing fee.

Ante, p. 103.

"(i) Each candidate in a general election for member of the Board of Education shall be nominated for such office by a petition (A) filed with the Board not later than forty-five days before the date of such general election; (B) signed by at least two hundred and fifty persons who are duly registered under section 7 in the ward from which the candidate seeks election, or in the case of a candidate running at large, signed by at least one hundred and twenty-five persons in each ward of the District who are duly registered in such ward; and (C) accompanied by a filing fee of $100. Such fee may be refunded only in the event that the candidate withdraws his nomination by writing received by the Board not later than three days after the date on which nominations are closed. A nominating petition for a candidate in a general election for member of the Board of Education may not be circulated for signatures before the ninety-ninth day preceding the date of such election and may not be filed with the Board before the seventieth day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of nominating petitions and the posting and disposition of filing fees. In a general election for members of the Board of Education, the Board shall arrange the ballots in each ward to enable a voter registered in that ward to vote for any one candidate duly nominated to be elected to such office from such ward, and to vote for as many candidates duly nominated for election at large to such office as there are Board of Education members to be elected at large in such election.

Petitions, posting.

"(j)(1) The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatories thereto if the original or facsimile thereof has been posted in a suitable public place for the ten-day period beginning on the forty-second day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition.

Challenge.

"(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable.

Appeal.

"(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board."

Absentee voting.

(6) Section 9 of such Act (D.C. Code, sec. 1–1109) is amended—

75 Stat. 819.

(A) by striking out "for electors of President and Vice President" in the second sentence of subsection (b); and

82 Stat. 105.

(B) by striking out "Municipal Court for the District of Columbia" in subsection (e) and inserting "District of Columbia Court of General Sessions".

Elections.

(7) Section 10 of such Act (D.C. Code, sec. 1–1110) is amended—

(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

69 Stat. 702; 75 Stat. 819.

(B) by adding at the end of subsection (a) the following new paragraphs:

"(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year.

Runoffs.

"(4) (A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected.

"(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected.

"(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the full term position or positions, provided that any candidate declared elected at the general election shall for this purpose be deemed to have received a higher number of votes than any candidate elected in the runoff election.

"(D) The Board may resolve any tie vote occurring in an election governed by this paragraph by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

82 Stat. 106.

"(5) In the case of a runoff election for the office of member of the Board of Education elected at large, the candidates in such runoff election shall be those unsuccessful candidates, in number not more than one more than the number of such offices to be filled, who in the general election next preceding such runoff election received the highest number of votes less than a majority. In the case of a runoff election for the office of member of the Board of Education from a ward, the runoff election shall be held in such ward, and the two candidates who in the general election next preceding such runoff election received respectively the highest number and the second highest number of votes validly cast in such ward or who tied in receiving the highest number of such votes shall run in such runoff election. If in any case (other than the one described in the preceding sentence) a tie vote must be resolved to determine the candidates to run in any runoff election, the Board may resolve such tie vote by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

"(6) If any candidate withdraws (in accordance with such rules and time limits as the Board shall prescribe) from a runoff election held to select a member of the Board of Education or dies before the date of such election, the candidate who received the same number of votes in the general election next preceding such runoff election as a candidate in such runoff election or who received a number of votes in such general election which is next highest to the number of votes in such general election received by a candidate in the runoff election and who is not a candidate in such runoff election shall be a candidate in such runoff election. The resolution of any tie necessary to determine the candidate to fill the vacancy caused by such withdrawal or death shall be resolved by the Board in the same manner as ties are resolved under paragraph (5)."

69 Stat. 702.
D.C. Code 1–1110.

(C) by amending subsection (b) to read as follows:

"(b) All elections prescribed by this Act shall be conducted by the Board in conformity with the provisions of this Act. In all elections held pursuant to this Act the polls shall be open from 8 o'clock antemeridian to 8 o'clock postmeridian. Candidates receiving the highest number of votes in elections held pursuant to this Act, other than general elections for members of the Board of Education, shall be declared the winners.";

(D) by inserting after "In the case of a tie" in subsection (c) the following: "vote in any election other than an election for members of the Board of Education,";

(E) by inserting after "official" in subsection (d) the following: ", other than a member of the Board of Education,"; and

(F) by adding at the end thereof the following new subsection:

Vacancies.

"(e) Whenever a vacancy occurs in the office of member of the Board of Education, such vacancy shall be filled at the next general election for members of the Board of Education which occurs more than ninety-nine days after such vacancy occurs. However, the Board of Education shall appoint a person to fill such vacancy until the unexpired term of the vacant office ends or until the fourth Monday in January next following the date of the election of a person to serve the remainder of such unexpired term, whichever occurs first. A person, elected to fill a vacancy shall hold office for the duration of the unexpired term of office to which he was elected. Any person appointed under this subsection shall have the same qualifications for holding such office as were required of his immediate predecessor."

69 Stat. 703.

(8) The first sentence of section 11(b) of such Act (D.C. Code, sec. 1–111(b)) is amended by striking out "the United States District Court for the District of Columbia" and inserting in lieu thereof "the District of Columbia Court of Appeals".

Dual nominations, prohibition.

(9) The following new sections shall be added at the end of such Act:

"Sec. 15. No person shall be a candidate for more than one office on the Board of Education in any election for members of the Board of Education. If a person is nominated for more than one such office, he shall, within three days after the Board has sent him notice that he has been so nominated, designate in writing the office for which he wishes to run, in which case he will be deemed to have withdrawn all other nominations. In the event that such person fails within such three-day period to file such a designation with the Board, all such nominations of such person shall be deemed withdrawn.

"Sec. 16. This Act may be cited as the 'District of Columbia Election Act'." **Citation of act.**

COORDINATION WITH THE DISTRICT OF COLUMBIA GOVERNMENT

82 Stat. 107.

Sec. 5. (a) The Board of Education and the Commissioner of the District of Columbia shall jointly develop procedures to assure the maximum coordination of educational and other municipal programs and services in achieving the most effective educational system and utilization of educational facilities and services to serve broad community needs. Such procedures shall cover such matters as—

(1) design and construction of educational facilities to accommodate civic and community activities such as recreation, adult and vocational education and training, and other community purposes;

(2) full utilization of educational facilities during nonschool hours for community purposes;

(3) utilization of municipal services such as police, sanitation, recreational, maintenance services to enhance the effectiveness and stature of the school in the community;

(4) arrangements for cost-sharing and reimbursements on school and community programs involving utilization of educational facilities and services; and

(5) other matters of mutual interest and concern.

(b) The Board of Education may invite the Commissioner of the District of Columbia or his designee to attend and participate in meetings of the Board on matters pertaining to coordination of educational and other municipal programs and services and on such other matters as may be of mutual interest.

EFFECTIVE DATE AND TERMINATION OF OFFICE

Sec. 6. (a) The amendments made by this Act shall take effect on May 15, 1968, except that—

(1) the Board of Education of the District of Columbia, appointed under the Act of June 20, 1906 (as in effect on the date of the enactment of this Act), shall continue to exercise the powers, functions, duties vested in it under such Act (as in effect on such date); **34 Stat. 316. D.C. Code 31–101 *et seq.***

(2) vacancies in such Board shall be filled by appointment in accordance with such Act (as in effect on such date); and

(3) the members of such Board appointed under such Act (as in effect on such date) shall continue in office;

until such time as at least six of the members first elected to the Board of Education (under such Act as amended by this Act) take office.

8. NATIONAL SCHOOL LUNCH ACT AMENDMENTS

(Public Law 90-302, approved May 8, 1968)

A. Legislative History

On January 18 and 24, 1968, the General Subcommittee on Education of the Committee on Education and Labor held hearings on H.R. 13293, a bill to amend the National School Lunch Act. The record of the hearings was printed in a volume of 124 pages. No further action was taken on this bill.

A similar bill, H.R. 15398, was introduced on February 19, 1968 by Representative Charles A. Vanik, of Ohio, and others. The bill was referred to the Committee on Education and Labor. It was reported from that committee on February 27, 1968 (H. Rept. 1114). It passed the House on March 5, 1968. It was reported in the Senate, from the Committee on Agriculture and Forestry, on March 29, 1968. (S. Rept. 1067.) It passed the Senate on April 17, 1968. It was approved by the President on May 8, 1968 and became Public Law 90-302.

B. Digest of the Act

The Act authorizes appropriation of $32 million for each of the 3 fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971, for a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions. The Act defines "service institutions" as meaning (in substance) private nonprofit institutions or public institutions, such as child day-care centers. which provide child care where children are not maintained in residence, for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, including public and private nonprofit institutions providing day-care services for handicapped children.

The Act also authorizes to be appropriated for the fiscal year 1969, $6.5 million; and for the fiscal year 1970 not to exceed $10 million; and for the fiscal year 1971 not to exceed $12 million to carry out a program to assist the States through grants-in-aid and other means to initiate, maintain or expand nonprofit breakfast programs in schools.

C. Text of the Law

82 Stat. 117.

Following is the text of Public Law 90-302.

AN ACT TO amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes

National School Lunch Act, amendment. 76 Stat. 944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the National School Lunch Act (42 U.S.C. 1752) is amended by striking out "section 11" and inserting in lieu thereof "sections 11 and 13". Apropriations shall be considered Health, Education, and Welfare functions for budget purposes rather than functions of Agriculture.

60 Stat. 231.

SEC. 2. (a) Section 6 of the National School Lunch Act (42 U.S.C. 1755) is amended by inserting "except section 13" immediately after "Act" where it first appears.

42 USC 1758.

(b) Section 9 of such Act is amended by inserting before the period at the end of the first sentence the following: "; except that such minimum nutritional requirements shall not be construed to prohibit the substitution of foods to accommodate the medical or other special dietary needs of individual students".

42 USC 1751 note.

SEC. 3. The National School Lunch Act is amended by adding at the end of the Act the following new section:

"SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

"SEC. 13. (a)(1) There is authorized to be appropriated $32,000,000 for each of the three fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971, to enable the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions. For purposes of this section, the term 'service institutions' means private, nonprofit institutions or public institutions, such as child day-care centers, settlement houses, or recreation centers, which provide day care, or other child care where children are not maintained in residence, for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and includes public and private nonprofit institutions providing day-care services for handicapped children.

"Service institutions."

"(2) Subject to all the provisions of this section, the term 'service institutions' also includes public or private nonprofit institutions that develop special summer programs providing food service similar to that available to children under the National School Lunch or School Breakfast Programs during the school year, including such institutions providing day-care services for handicapped children.

"(b)(1) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 2 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands shall each be paid an amount which bears the same ratio to the total of such reserved funds as the number of children aged three to seventeen, inclusive, in each bears to the total number of children of such ages in all of them.

82 Stat. 118.

"(2) From the remainder of the funds appropriated for any fiscal year, the Secretary shall pay to each State such sums as he deems appropriate, but not more than $50,000, as a basic grant. In addition, the Secretary shall allot to each State from the funds remaining after the basic grants have been made an amount which bears the same ratio to such remaining funds as the number of children in that State aged three to seventeen, inclusive, in families with incomes of less than $3,000 per annum bears to the total number of such children in all the States. For the purposes of this paragraph, the term 'State' does not include Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

"State."

"(c) (1) Funds paid to any State under this section shall be disbursed by the State educational agency to service institutions, selected on a nondiscriminatory basis by the State educational agency, (A) to reimburse the service institutions for the cost of obtaining agricultural commodities and other foods, and (B) for the purposes of paragraphs (2) and (3) of this subsection. The costs of obtaining agricultural commodities and other foods may include the cost of the processing, distributing, transporting, or handling thereof. Disbursement to participating service institutions shall be made at such rate of reimbursement per meal as the Secretary shall prescribe.

"(2) In circumstances of severe need where the rate per meal established by the Secretary is insufficient to carry on an effective feeding program, the Secretary may authorize financial assistance not to exceed 80 per centum of the operating costs of such a program, including the cost of obtaining, preparing, and serving food. In the selection of institutions to receive assistance under this subsection, the State educational agency shall require the applicant institutions to provide justification of the need for such assistance.

"(3) Not to exceed 25 per centum of the funds paid to any State may be used by the State to assist service institutions by paying not to exceed 75 per centum of the cost of the purchase or rental of equipment, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable the service institutions to establish, maintain, and expand food service under this section.

"(d) If in any State the State educational agency is not permitted by law or is otherwise unable to disburse the funds paid to it under this section to any service institution in the State, the Secretary shall withhold all funds apportioned under this section and shall disburse the funds so withheld directly to service institutions in the State for the same purpose and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

Unobligated funds, availability.

"(e) Notwithstanding the provisions of any other law, balances of funds appropriated for the purposes of this section and unobligated at the end of any fiscal year shall remain available for obligation during the first three months of the following fiscal year.

"(f) Service institutions to which funds are disbursed under this section shall serve meals consisting of a combination of foods and meeting minimum nutritional standards prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children determined by the service institutions to be unable to pay the full cost. In making such determination, service institution authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation or other discrimination against any child shall be made because of his inability to pay.

Discrimination, prohibition.

"(g) If any State cannot utilize all funds apportioned to it, or if additional funds are made available for apportionment among the States, under this section, the Secretary shall make further apportionments to the remaining States in the manner prescribed in subsection (b).

82 Stat. 119.

"(h)(1) The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section of the Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"(2) Each service institution participating under this section shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the institution area, or foods donated by the Secretary. Irrespective of the amount of funds appropriated under this section, foods available under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) or purchased under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), or section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a-1), may be donated by the Secretary to service institutions in accordance with the needs as determined by authorities of these institutions for utilization in their feeding programs.

68 Stat. 458.
49 Stat. 774.
79 Stat. 1212.

"(3) The value of assistance to children under this section shall not be considered to be income or resources for any purpose under any Federal or State laws, including laws relating to taxation and welfare and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this section.

"(4) There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expenses under this section.

Recordkeeping.

"(5) States, State educational agencies, and service institutions participating in programs under this section shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this section and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary."

80 Stat. 888.

SEC. 4. The first sentence of section 7 of the Child Nutrition Act of 1966 (42 U.S.C. 1776) is amended by adding immediately before the period at the end thereof "and under sections 11 and 13 of the National School Lunch Act". The second sentence of such section 7 is amended by striking out "section 11" and inserting in lieu thereof "sections 11 and 13".

School breakfast program. 80 Stat. 886.

SEC. 5. Section 4(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(a)) is amended to read as follows:

82 Stat. 119.

"SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year 1969, $6,500,000; and for the fiscal year 1970 not to exceed $10,000,000; and for the fiscal year 1971 not to exceed $12,000,000 to carry out a program to assist the States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in schools. Appropriations and expenditures for this Act shall be considered Health, Education, and Welfare functions for budget purposes rather than functions of Agriculture."

9. CONVEYANCE OF CERTAIN LANDS TO THE UNIVERSITY OF MAINE

(Public Law 90-307, approved May 17, 1968)

A. LEGISLATIVE HISTORY

H.R. 11527 was introduced on July 18, 1967, by Representative William D. Hathaway, of Maine. The bill was referred to the Committee on Agriculture. Hearings on this and other bills were held before the Subcommittee on Departmental Oversight of the Committee on Agriculture on June 8 and 9 and August 9, 1967. The record of the hearings was printed in a volume of 52 pages.

H.R. 11527 was reported in the House on September 27, 1967 (H. Rept. 717). It passed the House, under suspension of the rules, on November 20, 1967. It was reported in the Senate, from the Committee on Agriculture and Forestry, on March 29, 1968 (S. Rept. 1068). It passed the Senate, amended, on April 2, 1968. The House agreed to the Senate amendment on April 30, 1968. The act was approved by the President on May 17, 1968, and became Public Law 90-307.

B. DIGEST OF THE ACT

The act authorizes the Secretary of Agriculture to release a condition in a conveyance of certain lands to the University of Maine requiring the lands conveyed to be used for public purposes. Conditions such release upon: (a) the university's agreement that all proceeds from the sale, lease, or other disposition of the lands be used to acquire lands to be held permanently for university purposes, and (b) the proceeds being kept in a separate fund and subject to inspection by the Secretary.

Requires the Secretary of the Interior upon application to convey the mineral interests of the United States to the surface owners at fair market value (or $1 per application if of only nominal value). Requires that amounts paid to the Secretary of the Interior under provisions of this act shall be paid into the Treasury of the United States as miscellaneous receipts.

C. Text of the Law

Following is the text of Public Law 90–307.

An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands.

82 Stat. 122.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the conditions, contained in a deed, dated March 4, 1955, conveying certain lands in Penobscot County, Maine, to the University of Maine, which require that the lands conveyed be used for public purposes and provide for a reversion of such lands to the United States if at any time they cease to be so used.

University of Maine. Land conveyance. 50 Stat. 526; 56 Stat. 725.

Sec. 2. The Secretary shall release the conditions referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the university in which the university, in consideration of the release of such conditions as to such lands, agrees—

Proceeds of sale, conditions.

(1) that all the proceeds from the sale, lease, exchange, or other disposition of such lands shall be used by the university for the acquisition of lands to be held permanently for university purposes.

(2) that all the proceeds from the sale, lease, or other disposition of lands covered by any such agreement shall be maintained by the university in a separate fund and that the record of all transactions involving such fund shall be open to inspection by the Secretary of Agriculture.

Sec. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the conditions as to such lands shall be conveyed to the University of Maine or their successors in title by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of $1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

Mineral interests, determination and sale.

Sec. 4. Each application made under the provisions of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall

Conveyance deposit.

pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

"Administrative costs."

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

82 Stat. 122.
82 Stat. 123.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

10. ISSUANCE OF COMMEMORATIVE MEDALS TO THE CALIFORNIA INSTITUTE OF THE ARTS

(Founded by Walt Disney for Instruction in the Creative and Performing Arts)

(Public Law 90–316, approved May 24, 1968)

A. LEGISLATIVE HISTORY

S.J. Res. 93 was introduced on June 20, 1967 by Senator George Murphy, of California. The joint resolution was referred to the Committee on Banking and Currency. It was reported in the Senate on August 23, 1967 (S. Rept. 541). It passed the Senate on August 29, 1967, and was referred to the House Committee on Banking and Currency on August 30, 1967.

H.J. Res. 1234, a companion to S.J. Res. 93, was introduced on April 23, 1968 by Representative Del Clawson, of California, and other Members of the House. The joint resolution was referred to the Committee on Banking and Currency. It was reported in the House on April 30, 1968 (H. Rept. 1343). It passed the House on May 6, 1968. It passed the Senate on May 8, 1968. It was approved by the President on May 24, 1968 and became Public Law 90–316.

B. DIGEST OF THE JOINT RESOLUTION

The act provides for the issuance of a gold medal to the widow of the late Walt Disney and for issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public-service and the outstanding contributions of Walt Disney to the United States and to the world.

C. TEXT OF THE LAW

Following is the text of Public Law 90–316.

JOINT RESOLUTION

82 Stat. 130.

To provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute

of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world

Whereas Walt Disney's life personified the American dream and his rags-to-riches story demonstrated that the United States of America remains the land of opportunity; and

Whereas Walt Disney, "the most significant figure in graphic arts since Leonardo," pioneered motion picture cartoons, produced spectacular feature films, and created fascinating nature studies bringing joy and pleasure to children of all ages; and

Whereas Walt Disney developed one of the wonders of the modern world, Disneyland, a fabulous park where happiness reigns and where one can relive the Nation's past as well as step into the future; and

Whereas Walt Disney was a great humanitarian, a "teacher of human compassion and kindness," a master entrepreneur, a great conservationist; and

Whereas Walt Disney's masterful touch contributed so significantly to the success of exhibits of the United States, including those at the New York and Brussels World's Fairs; and

Whereas Walt Disney, always an outstanding patriot, during World War II devoted 95 per centum of the production of his studios to the armed services; and

Whereas Walt Disney's vision and work with the Coordinator of Inter-American Affairs did so much to create international friendship and mutual understanding with our neighbors in Latin America; and

Whereas Walt Disney received an unprecedented number of Academy Awards, citations, and honors from governments the world over, industry, civic groups, and universities, which when listed total nearly a thousand; and

Whereas Walt Disney's greatest gifts to mankind were laughter, his steadfast faith in future generations, and his belief that good will ultimately triumph over evil; and

Whereas Walt Disney's interest in young America is evidenced by his founding of the California Institute of the Arts, a college-level school of the creative and performing arts, which he regarded as his most important contribution to posterity: Now, therefore, be it

Walt Disney. Commemorative medal.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the distinguished public service and outstanding contributions to the United States and to the world, the President of the United States is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Walt Disney a gold medal, with suitable emblems, devices, and inscriptions to be determined by Walt Disney Productions with the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President: *Provided*, That the California Institute of the Arts agrees to pay, under terms considered necessary by the Secretary to protect the interests of the United States, all costs incurred in the striking of such medal.

Duplicate copies, limitation.

SEC. 2. (a) The Secretary of the Treasury shall strike and furnish to the California Institute of the Arts not more than one hundred thousand duplicate copies of such medal in bronze. The medals shall be considered as national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

82 Stat. 131.

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the California Institute of the Arts in quantities of not less than two thousand. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

11. DISTRICT OF COLUMBIA TEACHERS' SALARY ACT AMENDMENTS OF 1968

(Public Law 90–319, approved May 27, 1968)

A. Legislative History

Hearings on "D.C. Police, Firemen and Teachers Pay Legislation" were held before the Subcommittee on Fiscal Affairs of the Senate Committee on the District of Columbia on November 15, 1967, and February 14, 1968. The record of the hearings was printed in a volume of 167 pages. Hearings on bills to amend the District of Columbia Teachers Salary Act of 1955 were held before a Special Investigating Subcommittee of the House Committee on the District of Columbia on March 20, 1965. The record of the hearings was printed in a volume of 110 pages.

H.R. 16409, the "District of Columbia Teachers' Salary Act Amendments of 1968" was introduced on April 2, 1968, by Representative Joel T. Broyhill, of Virginia, for himself and 11 other Members of the House. The bill was referred to the Committee on the District of Columbia. It was reported from that committee on April 8, 1968 (H. Rept. 1285). It passed the House on April 22, 1968. It was reported in the Senate, from the Committee on the District of Columbia, on May 10, 1968 (S. Rept. 1115). It passed the Senate, amended, on May 13, 1968. The House agreed to the Senate amendments on May 20, 1968. The act was approved on May 27, 1968, and became Public Law 90–319.

B. Digest of the Act

The act generally revises the compensation schedules for teachers and school officers in the public schools of the District of Columbia so as to provide salary increases for all classes. The act makes these salary increases retroactive to October 1, 1967.

C. Text of the Law

Following is the text of Public Law 90-319:

AN ACT To amend the District of Columbia Teachers' Salary Act of 1955 to provide salary increases for teachers and school officers in the District of Columbia public schools, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Teachers' Salary Act Amendments of 1968".

Sec. 2. The District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31-1501 et seq.) is amended as follows:

(1) Effective on October 1, 1967, the salary schedule contained in section 1 of such Act (D.C. Code, sec. 31-1501) is amended to read as follows:

82 Stat. 132.

82 Stat. 133

"Salary class and group	Service step								
	1	2	3	4	5	6	7	8	9
Class 1	$29,000								
Superintendent.									
Class 2	25,000								
Deputy superintendent.									
Class 3	18,480	$18,920	$19,360	$19,800	$20,240	$20,680	$21,120	$21,560	$22,000
Assistant superintendent.									
President, teachers college.									
Class 4	15,625	15,995	16,365	16,735	17,105	17,475	17,845	18,215	18,585
Director, curriculum.									
Dean, teachers college.									
Executive assistant to superintendent.									
Class 5:									
Group A, bachelor's degree	14,120	14,470	14,820	15,170	15,520	15,870	16,220	16,570	16,920
Group B, master's degree	14,750	15,100	15,450	15,800	16,150	16,500	16,850	17,200	17,550
Group C, master's degree plus 30 credit hours	15,065	15,415	15,765	16,115	16,465	16,815	17,165	17,515	17,865
Group D, doctor's degree	15,380	15,730	16,080	16,430	16,780	17,130	17,480	17,830	18,180
Chief examiner.									
Director, food services.									
Director, industrial adult education.									
Executive assistant to deputy superintendent.									
Class 6:									
Group B, master's degree	14,320	14,660	15,000	15,340	15,680	16,020	16,360	16,700	17,040
Principal, level IV	14,320	14,660	15,000	15,340	15,680	16,020	16,360	16,700	17,040
Principal, level III	14,010	14,350	14,690	15,030	15,370	15,710	16,050	16,390	16,730
Principal, level II	13,700	14,040	14,380	14,720	15,060	15,400	15,740	16,080	16,420
Principal, level I	13,390	13,730	14,070	14,410	14,750	15,090	15,430	15,770	16,110
Group C, master's degree plus 30 credit hours	14,635	14,975	15,315	15,655	15,995	16,335	16,675	17,015	17,355
Principal, level IV	14,635	14,975	15,315	15,655	15,995	16,335	16,675	17,015	17,355
Principal, level III	14,325	14,665	15,005	15,345	15,685	16,025	16,365	16,705	17,045
Principal, level II	14,015	14,355	14,695	15,035	15,375	15,715	16,055	16,395	16,735
Principal, level I	13,705	14,045	14,385	14,725	15,065	15,405	15,745	16,085	16,425
Group D, doctor's degree	14,950	15,290	15,630	15,970	16,310	16,650	16,990	17,330	17,670
Principal, level IV	14,950	15,290	15,630	15,970	16,310	16,650	16,990	17,330	17,670
Principal, level III	14,640	14,980	15,320	15,660	16,000	16,340	16,680	17,020	17,360
Principal, level II	14,330	14,670	15,010	15,350	15,690	16,030	16,370	16,710	17,050
Principal, level I	14,020	14,360	14,700	15,040	15,380	15,720	16,060	16,400	16,740
Assistant to assistant superintendent (elementary schools).									
Assistant to assistant superintendent (junior and senior high schools).									

"Salary class and group	Service step								
	1	2	3	4	5	6	7	8	9
Class 6.—Continued									
Group D, doctor's degree—Continund									
Assistant to assistant superintendent (general research, budget, and legislation).									
Assistant to assistant superintendent (pupil personnel services).									
Assistant to assistant superintendent (industrial and adult education, vocational education, evening and summer school).									
Director, elementary education (supervision and instruction).									
Director, health (physical education, athletics, and safety).									
Director, special education.									
Principal, senior high school.									
Principal, junior high school.									
Principal, elementary school.									
Principal, vocational high school.									
Principal, Americanization school.									
Principal, boys' junior-senior high school.									
Principal, Capitol Page School.									
Principal, health school.									
Principal, laboratory school.									
Principal, veterans' high school.									
Class 7:									
Group B, master's degree	$13, 020	$13, 330	$13, 640	$13, 950	$14, 260	$14, 570	$14, 880	$15, 190	$15, 500
Group C, master's degree plus 30 credit hours	13, 335	13, 645	13, 955	14, 265	14, 575	14, 885	15, 195	15, 505	15, 815
Group D, doctor's degree	13, 650	13, 960	14, 270	14, 580	14, 890	15, 200	15, 510	15, 820	16, 130
Supervising director elementary education (supervision and instruction).									
Supervising director audiovisual instruction.									
Supervising director, adult education and summer school.									
Supervising director, subject field.									
Supervising director, reading clinic.									
Supervising director, athletics.									
Director, school attendance.									
Supervising director, curriculum.									
Director, elementary education.									
Director, elementary education (administration).									

“Salary class and group	Service step								
	1	2	3	4	5	6	7	8	9
Class 8:									
Group B, master's degree	$12,520	$12,830	$13,140	$13,450	$13,760	$14,070	$14,380	$14,690	$15,000
Group C, master's degree plus 30 credit hours	12,835	13,145	13,455	13,765	14,075	14,385	14,695	15,005	15,315
Group D, doctor's degree	13,150	13,460	13,770	14,080	14,390	14,700	15,010	15,320	15,630
Dean of students, teachers college.									
Professor, teachers college.									
Registrar, teachers college.									
Statistical analyst.									
Assistant principal, senior high school.									
Assistant principal, junior high school.									
Assistant principal, elementary school.									
Assistant principal, vocational high school.									
Assistant principal, Americanization school.									
Assistant principal, health school.									
Class 9:									
Group A, bachelor's degree	11,390	11,700	12,010	12,320	12,630	12,940	13,250	13,560	13,870
Group B, master's degree	12,020	12,330	12,640	12,950	13,260	13,570	13,880	14,190	14,500
Group C, master's degree plus 30 credit hours	12,335	12,645	12,955	13,265	13,575	13,885	14,195	14,505	14,815
Group D, doctor's degree	12,650	12,960	13,270	13,580	13,890	14,200	14,510	14,820	15,130
Assistant director, food services.									
Class 10:									
Group B, master's degree	11,470	11,780	12,090	12,400	12,710	13,020	13,330	13,640	13,950
Group C, master's degree plus 30 credit hours	11,785	12,095	12,405	12,715	13,025	13,335	13,645	13,955	14,265
Group D, doctor's degree	12,100	12,410	12,720	13,030	13,340	13,650	13,900	14,270	14,580
Assistant director, audio-visual instruction.									
Assistant director, subject field.									
Assistant director, adult education and summer school.									
Supervisor, elementary education.									
Class 11:									
Group B, master's degree	10,950	11,260	11,570	11,880	12,190	12,500	12,810	13,120	13,430
Group C, master's degree plus 30 credit hours	11,265	11,575	11,885	12,195	12,505	12,815	13,125	13,435	13,745
Group D, doctor's degree	11,580	11,890	12,200	12,510	12,820	13,130	13,440	13,750	14,060
Assistant director, practical nursing.									
Associate professor, teachers college.									
Chief librarian, teachers college.									
Class 12:									
Group B, master's degree	10,430	10,740	11,050	11,360	11,670	11,980	12,290	12,600	12,910
Group C, master's degree plus 30 credit hours	10,745	11,055	11,365	11,675	11,985	12,295	12,605	12,915	13,225
Group D, doctor's degree	11,060	11,370	11,680	11,990	12,300	12,610	12,920	13,230	13,540
Chief attendance officer.									
Clinical psychologist.									
Class 13:									
Group B, master's degree	9,360	9,740	10,120	10,500	10,880	11,260	11,640	12,020	12,400
Group C master's degree plus 30 credit hours	9,675	10,055	10,435	10,815	11,195	11,575	11,955	12,335	12,715
Group D, doctor's degree	9,990	10,370	10,750	11,130	11,510	11,890	12,270	12,650	13,030
Assistant professor, teachers college.									
Assistant professor, laboratory school.									
Psychiatric social worker.									

"Salary class and group	Service step							
	1	2	3	4	5	6	7	8
Class 14:								
Group A, bachelor's degree	$7,510	$7,830	$8,150	$8,470	$8,790	$9,110	$9,430	$9,750
Group B, master's degree	8,140	8,460	8,780	9,100	9,420	9,740	10,060	10,380
Group C, master's degree plus 30 credit hours	8,455	8,775	9,095	9,415	9,735	10,055	10,375	10,695
Group D, doctor's degree	8,770	9,090	9,410	9,730	10,050	10,370	10,690	11,010
Coordinator of practical nursing.								
Census supervisor.								
Class 15:								
Group A, bachelor's degree	6,400	6,600	6,800	7,050	7,435	7,750	8,065	8,380
Group B, master's degree	7,030	7,230	7,430	7,680	8,065	8,380	8,695	9,010
Group C, master's degree plus 30 credit hours	7,345	7,545	7,745	7,995	8,380	8,695	9,010	9,325
Group D, master's degree plus 60 credit hours or doctor's degree	7,660	7,860	8,060	8,310	8,695	9,010	9,325	9,640
Teacher, elementary and secondary schools.								
Attendance officer.								
Child labor inspectors.								
Counselor, placement.								
Counselor, elementary and secondary schools.								
Librarian, elementary and secondary schools.								
Librarian, teachers college.								
Research assistant.								
School social worker.								
Speech correctionist.								
Instructor, teachers college.								
Instructor, laboratory school.								
School psychologist.								

"Salary class and group	Service step					Longevity step	
	9	10	11	12	13	X	Y
Class 14:							
Group A, bachelor's degree	$10,070	$10,390	$10,710	$11,030	$11,350	------	------
Group B master's degree	10,700	11,020	11,340	11,660	11,980	------	------
Group C, master's degree plus 30 credit hours	11,015	11,335	11,655	11,975	12,295	------	------
Group D, doctor's degree	11,330	11,650	11,970	12,290	12,610	------	------
Coordinator of practical nursing.							
Census supervisor.							
Class 15:							
Group A, bachelor's degree	8,695	8,950	9,200	9,450	9,700	$10,200	$10,800
Group B, master's degree	9,325	9,580	9,830	10,080	10,330	10,830	11,430
Group C, master's degree plus 30 credit hours	9,640	9,895	10,145	10,395	10,645	11,145	11,745
Group D, master's degree plus 60 credit hours or doctor's degree	9,955	10,210	10,460	10,710	10,960	11,460	12,060
Teacher, elementary and secondary schools.							
Attendance officer.							
Child labor inspectors.							
Counselor, placement.							
Counselor, elementary and secondary schools.							
Librarian, elementary and secondary schools.							
Librarian, teachers college.							
Research assistant.							
School social worker.							
Speech correctionist.							
Instructor, teachers college.							
Instructor, laboratry school.							
School psychologist."							

Ante, pp. 132–134; *Supra*.

(2) Effective on July 1, 1968, such salary schedule is amended to read as follows:

82 Stat. 136

"Salary class and group	Service step								
	1	2	3	4	5	6	7	8	9
Class 1	$30,000	------	------	------	------	------	------	------	------
Superintendent.									
Class 2	26,000	------	------	------	------	------	------	------	------
Deputy superintendent.									
Class 3	19,320	$19,780	$20,240	$20,700	$21,160	$21,620	$22,080	$22,540	$23,000
Assistant superintendent.									
President, teachers college.									
Class 4	16,400	16,800	17,200	17,600	18,000	18,400	18,800	19,200	19,600
Director, curriculum.									
Dean, teachers college.									
Executive assistant to superintendent.									
Class 5:									
Group A, bachelor's degree	$15,260	$15,640	$16,020	$16,400	$16,780	$17,160	$17,540	$17,920	$18,300
Group B, master's degree	,15,960	,16,340	16,720	17,100	17,480	17,860	18,240	18,620	19,000
Group C, master's degree plus 30 credit hours	,16,310	,16,690	,17,070	,17,450	,17,830	,18,210	,18,590	,18,970	,19,350
Group D, doctor's degree	,16,660	,17,040	,17,420	17,800	,18,180	18,560	18,940	19,320	19,700
Chief examiner.									
Director, food services.									
Director, industrial adult education.									
Executive assistant to deputy superintendent.									
Class 6:									
Group B, master's degree	15,540	15,910	16,280	16,650	17,020	17,390	17,760	18,130	18,500
Principal, level IV	15,540	15,910	16,280	16,650	17,020	17,390	17,760	18,130	18,500
Principal, level III	15,040	15,410	15,780	16,150	16,520	16,890	17,260	17,630	18,000
Principal, level II	14,540	14,910	15,280	15,650	16,020	16,390	16,760	17,130	17,500
Principal, level I	14,040	14,410	14,780	15,150	15,520	15,890	16,260	16,630	17,000
Group C, master's degree plus 30 credit hours	15,890	16,260	16,630	17,000	17,370	17,740	18,110	18,480	18,850
Principal, level IV	15,890	16,260	16,630	17,000	17,370	17,740	18,110	18,480	18,850
Principal, level III	15,390	15,760	16,130	16,500	16,870	17,240	17,610	17,980	18,350
Principal, level II	14,890	15,260	15,630	16,000	16,370	16,740	17,110	17,480	17,850
Principal, level I	14,390	14,760	15,130	15,500	15,870	16,240	16,610	16,980	17,350
Group D, doctor's degree	16,240	16,610	16,980	17,350	17,720	18,090	18,460	18,830	19,200
Principal, level IV	16,240	16,610	16,980	17,350	17,720	18,090	18,460	18,830	19,200
Principal, level III	15,740	16,110	16,480	16,850	17,220	17,590	17,960	18,330	18,700
Principal, level II	15,240	15,610	15,980	16,350	16,720	17,090	17,460	17,830	18,200
Principal, level I	14,740	15,110	15,480	15,850	16,220	16,590	16,960	17,330	17,700
Assistant to assistant superintent (elementary schools).									
Assistant to assistant superintendent (junior and senior high schools).									
Assistant to assistant superintendent (general research, budget, and legislation).									
Assistant to assistant superintendent (pupil personnel services).									
Assistant to assistant superintendent (industrial and adult education, vocational education, evening and summar school).									
Director, elementary education (supervision and instruction).									
Director, health, physical education, athletics, and safety.									
Director, special education.									
Principal, senior high school.									
Principal, junior high school.									

"Salary class and group	Service step								
	1	2	3	4	5	6	7	8	9
Class 6—Continued									
Group D, doctor's degree—Continued									
Principal, elementary school.									
Principal, vocational high school.									
Principal, Americanization school.									
Principal, boys' junior senior high school.									
Principal, Capitol Page School.									
Principal, health school.									
Principal, laboratory school.									
Principal, veterans' high school.									
Class 7:									
Group B, master's degree.	$14,070	$14,405	$14,740	$15,075	$15,410	$15,745	$16,080	$16,415	$16,750
Group C, master's degree plus 30 credit hours	14,420	14,755	15,090	15,425	15,760	16,095	16,430	16,765	17,100
Group D, doctor's degree	14,770	15,105	15,440	15,775	16,110	16,445	16,780	17,115	15,450
Supervising director, elementary education (supervision and instruction).									
Supervising director, audiovisual instruction.									
Supervising director, adult educa'ion and summer school.									
Supervising director, subject field.									
Supervising director, reading clinic.									
Supervising director, athletics.									
Director, school attendance.									
Supervising director, curriculum.									
Director, elementary education.									
Director, elementary education (administration).									
Class 8:									
Group B, master's degree.	13,580	13,905	14,230	14,555	14,880	15,205	15,530	15,855	16,180
Group C, master's degree plus 30 credit hours	13,930	14,255	14,580	14,905	15,230	15,555	15,880	16,205	16,530
Group D, doctor's degree.	14,280	14,605	14,930	15,255	15,580	15,905	16,230	16,555	16,880
Dean of students, teachers college.									
Professor, teachers college.									
Registrar, teachers college.									
Statistical analyst.									
Assistant principal, senior high school.									
Assistant principal, junior high school.									
Assistant principal, elementary school.									
Assistant principal, vocational high school.									
Assistant principal, Americanization school.									
Assistant principal, health school.									
Class 9:									
Group A, bachelor's degree	12,380	12,695	13,010	13,325	13,640	13,955	14,270	14,585	14,900
Group B, master's degree.	13,080	13,395	13,710	14,025	14,340	14,655	14,970	15,285	15,600
Group C, master's degree plus 30 credit hours	13,430	13,745	14,060	14,375	14,690	15,005	15,320	15,635	15,950
Group D, doctor's degree	13,780	14,095	14,410	14,725	15,040	15,355	15,670	15,985	16,300
Assistant director, food services.									

"Salary class and group	Service step								
	1	2	3	4	5	6	7	8	9
Class 10:									
Group B, master's degree	$12,600	$12,900	$13,200	$13,500	$13,800	$14,100	$14,400	$14,700	$15,000
Group C, master's degree plus 30 credit hours	12,950	13,250	13,550	13,850	14,150	14,450	14,750	15,050	15,350
Group D, doctor's degree	13,300	13,600	13,900	14,200	14,500	14,800	15,100	15,400	15,700
Assistant director, audiovisual instruction.									
Assistant director, subject field.									
Assistant director, adult education and summer school elementary.									
Supervisor, education.									
Class 11:									
Group B. master's degree	12,180	12,470	12,760	13,050	13,340	13,630	13,920	14,210	14,500
Group C, master's degree plus 30 credit hours	12,530	12,820	13,110	13,400	13,690	13,980	14,270	14,560	14,850
Group D, doctor's degree	12,880	13,170	13,460	13,750	14,040	14,330	14,620	14,910	15,200
Assistant director, practical nursing.									
Associate professor, teachers college.									
Chief librarian, teachers college.									
Class 12:									
Group B, master's degree	11,680	11,970	12,260	12,550	12,840	13,130	13,420	13,710	14,000
Group C, master's degree plus 30 credit hours	12,030	12,320	12,610	12,900	13,190	13,480	13,770	14,060	14,350
Group D, doctor's degree	12,380	12,670	12,960	13,250	13,540	13,830	14,120	14,410	14,700
Chief attendance officer.									
Clinical psychologist.									
Class 13:									
Group B, master's degree	10,700	11,050	11,400	11,750	12,100	12,450	12,800	13,150	13,500
Group C, master's degree plus 30 credit hours	11,050	11,400	11,750	12,100	12,450	12,800	13,150	13,500	13,850
Group D, doctor's degree	11,400	11,750	12,100	12,450	12,800	13,150	13,500	13,850	14,200
Assistant professor, teachers college.									
Assistant professor, laboratory school.									
Psychiatric social worker.									

"Salary class and group	Service step							
	1	2	3	4	5	6	7	8
Class 14:								
Group A, bachelor's degree	$8,160	$8,505	$8,850	$9,195	$9,540	$9,885	$10,230	$10,575
Group B, master's degree	8,860	9,205	9,550	9,895	10,240	10,585	10,930	11,275
Group C, master's degree plus 30 credit hours	9,210	9,555	9,900	10,245	10,590	10,935	11,280	11,625
Group D, doctor's degree	9,560	9,905	10,250	10,595	10,940	11,285	11,630	11,975
Coordinator of practical nursing.								
Census supervisor.								
Class 15:								
Group A, bachelor's degree	7,000	7,280	7,560	7,840	8,120	8,400	8,750	9,100
Group B, master's degree	7,700	7,980	8,260	8,540	8,820	9,100	9,450	9,800
Group C, master's degree plus 30 credit hours	8,050	8,330	8,610	8,890	9,170	9,450	9,800	10,150
Group D, master's degree plus 60 credit hours or doctor's degree	8,400	8,680	8,960	9,240	9,520	9,800	10,150	10,500
Teacher, elementary and secondary schools.								
Attendance officer.								
Child labor inspectors.								
Counselor, placement.								
Counselor, elementary and secondary schools.								
Librarian, elementary and secondary schools.								
Librarian, teachers college.								
Research assistant.								
School social worker.								
Speech correctionist.								
Instructor, teachers college.								
Instructor, laboratory school.								
School psychologist.								

82 Stat. 139

"Salary class and group	Service step				Longevity step		
	9	10	11	12	13	X	Y
Class 14:							
Group A, bachelor's degree	$10,920	$11,265	$11,610	$11,955	$12,300	------	------
Group B, master's degree	11,620	11,965	12,310	12,655	13,000	------	------
Group C, master's degree plus 30 credit hours	11,970	12,315	12,660	13,005	13,350	------	------
Group D, doctor's degree	12,320	12,665	13,010	13,355	13,700	------	------
Coordinator of practical nursing.							
Census supervisor.							
Class 15:							
Group A, bachelor's degree	9,450	9,800	10,150	10,500	10,850	$11,410	$12,040
Group B, master's degree	10,150	10,500	10,850	11,200	11,550	12,110	12,740
Group C, master's degree plus 30 credit hours	10,500	10,850	11,200	11,550	11,900	12,460	13,090
Group D, master's degree plus 60 credit hours or doctor's degree	10,850	11,200	11,550	11,900	12,250	12,810	13,440
Teacher, elementary and secondary schools.							
Attendance officer.							
Child labor inspectors.							
Counselor, placement.							
Counselor, elementary and secondary schools.							
Librarian, elementary and secondary schools.							
Librarian, teachers college.							
Research assistant.							
School social worker.							
Speech correctionist.							
Instructor, teachers college.							
Instructor, laboratory school.							
School psychologist.							

Service steps, assignment.
80 Stat. 1599.

(3) The third sentence of paragraph (1) of subsection (a) of section 7 of such Act (D.C. Code, sec. 31–1532(a)(1)) is amended by striking out "the same type of position" and inserting in lieu thereof "any type of position covered in salary class 15".

Probationary salary increase.
69 Stat. 527.

(4) Section 8(a) of such Act (D.C. Code, sec. 31–1533(a)) is amended by inserting "or salary class" immediately after "position" each time it appears in such section.

Promotions, effective date.
80 Stat. 1601.

(5) Section 10(a) of such Act (D.C. Code, sec. 31–1535(a)) is amended to read as follows:

"(a) On and after the effective date of the District of Columbia Teachers' Salary Act Amendments of 1968, each promotion to group B, group C, or group D, within a salary class, shall become effective—

"(1) on the date of the regular Board meeting of the twelfth month prior to the date of approval of promotion by the Board, or

"(2) on the effective date of the master's degree or doctor's degree or on the completion of thirty or sixty credit hours beyond the master's degree, as the case may be,

whichever is later."

Summer school, adult education, etc.

(6) Effective on October 1, 1967, section 13(a) of such Act (D.C. Code, sec. 31–1542(a)) is amended to read as follows:

"(a) The Board is authorized to conduct as part of its public school system the following: summer school programs, extended school year programs, adult education school programs, and an Americanization school, under and within appropriations made by Congress. The pay for teachers, officers, and other educational employees in the summer school programs, adult education school programs, and veterans' summer high school centers shall be as follows:

Per period pay schedule, 1967.

"Classification	Per period		
	Step 1	Step 2	Step 3
Summer school (regular):			
Teacher, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist; and instructor, District of Columbia Teachers College	$5.48	$6.12	$6.68
Psychiatric social worker and assistant professor, District of Columbia Teachers College	6.58	7.34	8.02
Clinicial psychologist	6.85	7.65	8.35
Associate professor, District of Columbia Teachers College	7.12	7.96	8.68
Assistant principal, elementary and secondary schools, and professor, District of Columbia Teachers College	7.95	8.87	9.69
Supervising director	8.22	9.18	10.02
Principal, elementary and secondary schools	8.77	9.79	10.69
Veterans' summer school centers: Teacher	5.48	6.12	6.68
Adult education schools:			
Teacher	6.03	6.73	7.35
Assistant principal	8.74	9.76	10.66
Principal	9.65	10.77	11.76"

Summer school, adult education, etc.

(7) Effective on July 1, 1968, section 13(a) of such Act (D.C. Code, sec. 31–1542(a)) is amended to read as follows:

"(a) The Board is authorized to conduct as part of its public school system the following: summer school programs, extended school year programs, adult education school programs, and an Americanization school, under and within appropriations made by Congress. The pay for teachers, officers, and other educational employees in the summer school programs, adult education school programs, and veterans' summer high school centers shall be as follows:

Per period pay schedule, 1968.

"Classification	Per period		
	Step 1	Step 2	Step 3
Summer school (regular):			
Teacher, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist; and instructor, District of Columbia Teachers College	$6.00	$6.66	$7.37
Psychiatric social worker and assistant professor, District of Columbia Teachers College	7.02	7.79	8.62
Clinical psychologist	7.20	7.99	8.84
Associate professor, District of Columbia Teachers College	7.50	8.33	9.21
Assistant principal, elementary and secondary schools and professor, District of Columbia Teachers College	8.40	9.32	10.32
Supervising director	8.70	9.66	10.69
Principal, elementary and secondary schools	9.35	10.39	11.50
Veterans' summer school centers: Teacher	6.00	6.66	7.37
Adult education schools:			
Teacher	6.60	7.33	8.11
Assistant principal	9.24	10.26	11.35
Principal	10.30	11.44	12.65"

Teacher-aide positions.
80 Stat. 1598.

(8) Section 5(c) of such Act (D.C. Code, sec. 31–1522(c)) is amended—

(A) by striking out the third sentence and inserting in lieu thereof the following: "The Board of Education shall prescribe minimum qualifications for appointment to such position."; and

(B) by striking out the fifth sentence.

Retroactive salary provisions.

82 Stat. 140.

80 Stat. 495.
5 USC 5581–5583.

Sec. 3. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this Act who retired during the period beginning on October 1, 1967, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter VIII of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on October 1, 1967, and ending on the date of enactment of this Act, by any such employee who dies during such period.

(b) For purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the municipal government of the District of Columbia.

Group life insurance.
80 Stat. 592;
81 Stat. 219, 646–648.
5 USC 8701–8716.

Sec. 4. For the purpose of determining the amount of insurance for which an individual is eligible under the provisions of chapter 87 of title 5, United States Code (relating to Government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of the enactment of this Act.

Sick and emergency leave.
63 Stat. 842;
65 Stat. 660.

Sec. 5. The last sentence of the first section of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31–691) is amended by adding before the period at the end thereof the following: ", except that in the case of leave taken under this sentence for any purpose (other than to attend a religious service or to observe a religious holiday), no more than 5 per centum of the total number of the teachers in any school in the District of Columbia public school system, or 3 teachers in such school, whichever is greater, may be on leave under this sentence".

Effective date.

Sec. 6. The amendments made by paragraphs (3), (4), and (5) of section 2 of this Act shall take effect on the first day of the first month beginning after the date of enactment of this Act.

12. TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION ACT, 1969: PROVISIONS CONCERNING EDUCATION AND TRAINING

(Public Law 90–350, approved June 19, 1968)

A. Legislative History

In the House, hearings on appropriations for the Department of the Treasury and Post Office and the Executive Office of the President were held before a Subcommittee of the Committee on Appropriations at intervals from February 19 to March 19, 1968. The record of the hearings was printed in three parts totaling 1,692 pages.

H.R. 16489, a bill making appropriations for the Treasury and Post Office Department and the Executive Office of the President, was introduced on April 4, 1968 by Representative Tom Steed, of Oklahoma. The bill was referred to the Committee on Appropriations.

Hearings on H.R. 16489 were held before a subcommittee of the Senate Committee on Appropriations at intervals from May 1 to May 29, 1968. The record of the hearings was printed in a volume of 835 pages.

H.R. 16489, a bill making appropriations for the Treasury and Post 1284). It passed the House on April 9, 1968. It was reported in the Senate on June 5, 1968 (S. Rept. 1165). On June 6, 1968, the bill passed the Senate, amended, and the Senate asked for and the House and Senate both agreed to a conference. The conference report was filed on June 11, 1968 (H. Rept. 1544). The House and Senate both agreed to the conference report on June 12, 1968. The act was approved by the President on June 19, 1968, and became Public Law 90–350.

B. Digest of Provisions Concerning Education and Training

Generally funds made available under this act for education and training purposes are components of appropriations for larger purposes and are not separately identified in this act. However, the act provides $800,000 specifically for construction of Secret Service training facilities and $35 million for the Post Office Department program of research, development, and engineering (affecting education).

C. Text of Provisions Specifically Concerning Training and Research (Affecting Education)

Following is the text of provisions of Public Law 90–350 referring specifically to training and research.

AN ACT Making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent Agencies, for the fiscal year ending June 30, 1969, and for other purposes 82 Stat. 190.

Treasury, Post Office, and Executive Office Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the Treasury and Post Office Departments, the Executive Office of the President, and certain

Independent Agencies, for the fiscal year ending June 30, 1969, and for other purposes, namely:

TITLE I—TREASURY DEPARTMENT

* * * * *

REVENUE ACCOUNTING AND PROCESSING

For necessary expenses of the Internal Revenue Service for processing tax returns, and revenue accounting; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); and services as authorized by title 5, United States Code, section 3109, and of expert witnesses at such rates as may be determined by the Commissioner, including not to exceed $29,400,000 for temporary employment and not to exceed $77,000 for salaries of personnel engaged in preemployment training of card punch operator applicants; $187 million.

* * * * *

CONSTRUCTION OF SECRET SERVICE TRAINING FACILITIES

For expenses necessary for construction of Secret Service training facilities, $800,000, to remain available until expended.

Citation of title. This title may be cited as the "Treasury Department Appropriation Act, 1969".

* * * * *

TITLE II—POST OFFICE DEPARTMENT

* * * * *

RESEARCH, DEVELOPMENT, AND ENGINEERING

For expenses necessary for administration and conduct of a research, development, and engineering program, including services as authorized by title 5, United States Code, section 3109, $35,000,000, to remain available until expended. **80 Stat. 416.**

* * * * *

13. OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

(Public Law 90–351, approved June 19, 1968)

TITLE I, PART D—TRAINING, EDUCATION, RESEARCH, DEMONSTRATION AND SPECIAL GRANTS

A. LEGISLATIVE HISTORY

In the Senate the "Safe Streets and Crime Control Act" was introduced, as S. 917, on February 8, 1967, by Senator John L. McClellan, of Arkansas, and other Senators. The bill was referred to the Committee on the Judiciary. Hearings on this and other bills relating to controlling crime through more effective law enforcement were held before the Subcommittee on Criminal Laws and Procedures, of the Committee on the Judiciary on March 7, 8, and 9; April 18, 19, and 20; May 9; and July 10, 11, and 12, 1967. The record of the hearings was printed in a volume of 1,205 pages. On April 29, 1968, S. 917 was reported in the Senate (S. Rept. 1097). No further action was taken on this bill as such.

In the House the "Safe Streets and Crime Control Act" was introduced as H.R. 5037, on February 8, 1967, by Representative Emanuel Celler, of New York. The bill was referred to the Committee on the Judiciary. Hearings on this and other anticrime bills were held before Subcommittee No. 5 of the Committee on the Judiciary on March 15, 16, 22, 23, and April 3, 7, 10, 12, 19, 20, 26, and 27, 1967. The record of the hearings was printed in a volume of 1,551 pages.

H.R. 5037 was reported from the (House) Committee on the Judiciary on July 17, 1967 (H. Rept. 488). It passed the House on August 8, 1967. It passed the Senate, amended, on May 24, 1968. Pursuant to H. Res. 1197 the House agreed to the Senate amendment on June 6, 1968. The Act was approved on June 19, 1968 and became Public Law 90-351, bearing the title "Omnibus Crime Control and Safe Streets Act of 1968."

B. SOME PRESS COMMENTS

An article headlined "President Signs Broad Crime Bill, with Objections" in the *New York Times* of June 20, 1968, reads in part as follows:[1]

> **WASHINGTON, June 19.—President Johnson signed the controversial omnibus crime bill tonight because he said it contained "more good than bad."**
>
> **Expressing strong reservations, especially about the broad license it gives to state and local law enforcement agencies to tap telephones and engage in other forms of eavesdropping, the President said that despite its shortcomings the new law "will help to lift the stain of crime and the shadow of fear from the streets of our communities."**
>
> **The heart of the measure, he noted, is the authorization for massive Federal grants to improve local law enforcement and methods, and this, the President indicated is a great opportunity that should not be lost.**
>
> **This part of the law, which was the heart of what the President recommended early in 1967, is its Title I.**
>
> **It authorizes up to $100-million in the fiscal year 1969 starting July 1 and $300-million the following year in planning research and direct action grants to improve enforcement methods. Greater sums are expected in the years thereafter.**
>
> **The $400-million authorized for the first two years of the law's operation, officials said, amounted to almost 10 per cent of the approximately $4-billion now spent on all aspects of law enforcement in the United States.**
>
> **The President had wanted the Attorney General to make these grants directly to local communities, but Congress insisted upon so-called block grants to the states for redistribution and allocation and stipulated that the grants be made by a three-member law enforcement administration under the general authority of the Justice Department.**

---

[1] **Frankel, Max. "President Signs Broad Crime Bill, with Objections,"** ***New York Times,*** **June 20, 1968, p. 1.**

> The new law thus becomes the first major legislation embodying the concept of block grants whose appeal has spread from the champions of states rights to others who think the local authorities know their needs better than Washington and can eliminate some of the Federal Government's cumbersome bureaucracy.

An article in the *Washington Post* of June 20, 1968, includes the following comments:[1]

> President Johnson signed at almost the last hour last night the omnibus Safe Streets and Crime Control Bill, declaring that it contained "more good than bad."
>
> The measure, approved overwhelmingly in the House and Senate despite strong Administration objections to some features, "responds to one of the most urgent problems in America today—the problem of fighting crime in the local neighborhood and on the city street," the President said in a statement.
>
> * * * * * * *
>
> Eleven departments of the Government were asked to study the crime bill, including the District of Columbia, the Justice Department and the Budget Bureau, and none recommended a veto, Mr. Johnson said.
>
> If he had vetoed the 110-page measure, which the Senate passed 72 to 4 and the House 368 to 17, it was considered highly likely that Congress would have overridden the veto.
>
> A veto in the wake of the assassination of Sen. Robert F. Kennedy and in view of the great interest in crime control throughout the country would have been highly damaging to the Democratic Party, some leaders had contended.
>
> * * * * * * *

C. DIGEST OF TITLE I, PART D—TRAINING, EDUCATION, RESEARCH, DEMONSTRATION, AND SPECIAL GRANTS

The Act:

Creates in the Department of Justice a National Institute of Law Enforcement and Criminal Justice.

Authorizes the institute (1) to make grants to, or enter into contracts with, institutions of higher education or private organizations to conduct research, demonstrations or special projects pertaining to purposes described in this title; (2) to carry out programs of instructional assistance consisting of research fellowships for the programs provided under this section; (3) to establish a research center and (4) to perform other specified functions.

Authorizes the Director of the Federal Bureau of Investigation to conduct training programs for State and local police personnel and to develop improved law enforcement techniques. Authorizes the continuation of funding of programs under the Law Enforcement Assistance Act of 1965, which is repealed.

Authorizes the Law Enforcement Assistance Administration established within the Department of Justice to (1) carry out programs of academic educational assistance to improve and strengthen law enforcement; (2) make payments to institutions of higher education for loans to persons enrolled in programs approved by the Administration, and (3) to pay institutions of higher education tuition and fees for officers of any publicly funded law enforcement agency enrolled in courses approved by the Administration.

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[1] Kilpatrick, Carroll. "Measure on Crime Enacted." *Washington Post*, June 20, 1968, p. 1.

D. TEXT OF TITLE I, PART D, OF PUBLIC LAW 90-351

An Act To assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes

Omnibus Crime Control and Safe Streets Act of 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Omnibus Crime Control and Safe Streets Act of 1968".

TITLE I—LAW ENFORCEMENT ASSISTANCE

DECLARATIONS AND PURPOSE

Congress finds that the high incidence of crime in the United States threatens the peace, security, and general welfare of the Nation and its citizens. To prevent crime and to insure the greater safety of the people, law enforcement efforts must be better coordinated, intensified, and made more effective at all levels of government.

Congress finds further that crime is essentially a local problem that must be dealt with by State and local governments if it is to be controlled effectively.

82 Stat. 197.
82 Stat. 198.

It is therefore the declared policy of the Congress to assist State and local governments in strengthening and improving law enforcement at every level by national assistance. It is the purpose of this title to (1) encourage States and units of general local government to prepare and adopt comprehensive plans based upon their evaluation of State and local problems of law enforcement; (2) authorize grants to States and units of local government in order to improve and strengthen law enforcement; and (3) encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals.

* * * * *

PART D—TRAINING, EDUCATION, RESEARCH, DEMONSTRATION, AND SPECIAL GRANTS

SEC. 401. It is the purpose of this part to provide for and encourage training, education, research, and development for the purpose of improving law enforcement and developing new methods for the prevention and reduction of crime, and the detection and apprehension of criminals.

National Institute of Law Enforcement and Criminal Justice.

Establishment.

SEC. 402. (a) There is established within the Department of Justice a National Institute of Law Enforcement and Criminal Justice (hereafter referred to in this part as "Institute"). The Institute shall be under the general authority of the Administration. It shall be the purpose of the Institute to encourage research and development to improve and strengthen law enforcement.

Functions.

(b) The Institute is authorized—

(1) to make grants to, or enter into contracts with, public agencies, institutions of higher education, or private organizations to conduct research, demonstrations, or special projects pertaining to the purposes described in this title, including the development of new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement;

(2) to make continuing studies and undertake programs of research to develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement, including, but not limited to, the effectiveness of projects or programs carried out under this title;

(3) to carry out programs of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing crime, and to evaluate the success of correctional procedures;

(4) to make recommendations for action which can be taken by Federal, State, and local governments and by private persons and organizations to improve and strengthen law enforcement;

(5) to carry out programs of instructional assistance consisting of research fellowships for the programs provided under this section, and special workshops for the presentation and dissemination of information resulting from research, demonstrations, and special projects authorized by this title.

(6) to carry out a program of collection and dissemination of information obtained by the Institute or other Federal agencies, public agencies, institutions of higher education, or private organizations engaged in projects under this title, including information relating to new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement; and

(7) to establish a research center to carry out the programs described in this section.

Grants, amount.

Conditions.

SEC. 403. A grant authorized under this part may be up to 100 per centum of the total cost of each project for which such grant is made. The Administration shall require, whenever feasible, as a condition of approval of a grant under this part, that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought.

82 Stat. 204.

F.B.I. law enforcement training programs.

SEC. 404. (a) The Director of the Federal Bureau of Investigation is authorized to—

(1) establish and conduct training programs at the Federal Bureau of Investigation National Academy at Quantico, Virginia, to provide, at the request of a State or unit of local government, training for State and local law enforcement personnel;

(2) develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement; and

(3) assist in conducting, at the request of a State or unit of local government, local and regional training programs for the training of State and local law enforcement personnel. Such training shall be provided only for persons actually employed as State police or highway patrol, police of a unit of local government, sheriffs and their deputies, and such other persons as the State or unit may nominate for police training while such persons are actually employed as officers of such State or unit.

(b) In the exercise of the functions, powers, and duties established under this section the Director of the Federal Bureau of Investigation shall be under the general authority of the Attorney General.

Repeal.
18 USC prec. 3001 note.
Continuation of projects.

SEC. 405. (a) Subject to the provisions of this section, the Law Enforcement Assistance Act of 1965 (79 Stat. 828) is repealed: *Provided*, That—

(1) The Administration, or the Attorney General until such time as the members of the Administration are appointed, is authorized to obligate funds for the continuation of projects approved under the Law Enforcement Assistance Act of 1965 prior to the date of enactment to this Act to the extent that such approval provided for continuation.

(2) Any funds obligated under subsection (1) of this section and all activities necessary or appropriate for the review under subsection (3) of this section may be carried out with funds previously appropriated and funds appropriated pursuant to this title.

(3) Immediately upon establishment of the Administration, it shall be its duty to study, review, and evaluate projects and programs funded under the Law Enforcement Assistance Act of 1965. Continuation of projects and programs under subsections (1) and (2) of this section shall be in the discretion of the Administration.

Academic educational assistance.

SEC. 406. (a) Pursuant to the provisions of subsections (b) and (c) of this section, the Administration is authorized, after appropriate consultation with the Commissioner of Education, to carry out programs of academic educational assistance to improve and strengthen law enforcement.

Loans.

(b) The Administration is authorized to enter into contracts to make, and make, payments to institutions of higher education for loans, not exceeding $1,800 per academic year to any person, to persons enrolled on a full-time basis in undergraduate or graduate programs approved by the Administration and leading to degrees or certificates in areas directly related to law enforcement or preparing for employment in law enforcement, with special consideration to police or correctional personnel of States or units of general local government on academic leave to earn such degrees or certificates. Loans to persons assisted under this subsection shall be made on such terms and conditions as the

Administration and the institution offering such programs may determine, except that the total amount of any such loan, plus interest, shall be canceled for service as a full-time officer or employee of a law enforcement agency at the rate of 25 per centum of the total amount of such loans plus interest for each complete year of such service or its equivalent of such service, as determined under regulations of the Administration.

82 Stat. 205.

Tuition and fees.

(c) The Administration is authorized to enter into contracts to make, and make, payments to institutions of higher education for tuition and fees, not exceeding $200 per academic quarter or $300 per semester for any person, for officers of any publicly funded law enforcement agency enrolled on a full-time or part-time basis in courses included in an undergraduate or graduate program which is approved by the Administration and which leads to a degree or certificate in an area related to law enforcement or an area suitable for persons employed in law enforcement. Assistance under this subsection may be granted only on behalf of an applicant who enters into an agreement to remain in the service of the law enforcement agency employing such applicant for a period of two years following completion of any course for which payments are provided, under this subsection, and in the event such service is not completed, to repay the full amount of such payments on such terms and in such manner as the Administration may prescribe.

Service agreements.

14. AMENDMENT OF THE DISTRICT OF COLUMBIA PUBLIC EDUCATION ACT

(Establishing the District of Columbia Federal City College as a Land-Grant College)

(Public Law 90–354, approved June 20, 1968)

A. LEGISLATIVE HISTORY

S. 1999, a bill to amend title II of the District of Columbia Public Education Act, was introduced on June 23, 1967 by Senator Wayne Morse, of Oregon. The bill was referred to the Committee on the District of Columbia. It was reported in the Senate on December 6, 1967 (S. Rept. 888). It passed the Senate on December 8, 1967. It was referred to the House Committee on the District of Columbia on December 11, 1967.

Hearings on S. 1999 and other bills to amend the District of Columbia Public Education Act were held on March 13, 1968, before Subcommittee No. 5 of the House Committee on the District of Columbia. The record of the hearings was printed in a volume of 38 pages. The committee was discharged, and S. 1999 passed the House, amended, on May 27, 1968. On June 10, 1968 the Senate agreed to the House amendment. The act was approved on June 20, 1968 and became Public Law 90–354.

B. Digest of the Act

The act establishes the District of Columbia Federal City College as a college for the benefit of agriculture and the mechanic arts in accordance with the provisions of the act of July 2, 1862 (the Land-Grant College or First Morrill Act).

In lieu of extending to the District of Columbia those provisions of the Act of July 2, 1862 relating to the donations of land or laid script for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, Public Law 90–354 authorizes to be appropriated to the District of Columbia the sum of $7,241,706. The act also authorizes to be appropriated to the District of Columbia such sums as may be necessary to provide agricultural extension work in the District of Columbia under the act of May 8, 1914.

C. Text of the Law

Following is the text of Public Law 90–354.

AN ACT To amend the District of Columia Public Education Act — 82 Stat. 241.

D.C. Federal City College. Establishment as land-grant college.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Title I of the District of Columbia Public Education Act is amended by adding at the end thereof the following new sections:

"Sec. 107. In the administration of— — 80 Stat. 1426. D.C. Code 31–1601 note.

"(1) the Act of August 30, 1890 (7 U.S.C. 321–326, 328) (known as the Second Morrill Act), — 26 Stat. 417.

"(2) the tenth paragraph under the heading 'EMERGENCY APPROPRIATIONS' in the Act of March 4, 1907 (7 U.S.C. 322) (known as the Nelson Amendment), — 34 Stat. 1281.

"(3) section 22 of the Act of June 29, 1935 (7 U.S.C. 329) (known as the Bankhead-Jones Act), — 74 Stat. 525.

"(4) the Act of March 4, 1940 (7 U.S.C. 331), and — 54 Stat. 39.

"(5) the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1629), — 60 Stat. 1087.

the Federal City College shall be considered to be a college established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301–305, 307, 308) (known as the First Morrill Act); and the term 'State' as used in the laws and provisions of law listed in the preceding paragraphs of this section shall include the District of Columbia. — 12 Stat. 503. "State."

"Sec. 108. (a) Section 22 of the Act of June 29, 1935 (7 U.S.C. 329), is amended (1) by striking out '$7,650,000' and inserting in lieu thereof '$7,800,000', and (2) by striking out '$4,300,000' and inserting in lieu thereof '$4,320,000'. — Appropriations.

"(b) In lieu of extending to the District of Columbia those provisions of the Act of July 2, 1862 (7 U.S.C. 301–305, 307, 308), relating to donations of public lands or land scrip for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to the District of Columbia the sum of $7,241,706.

Amounts appropriated under this subsection shall be held and considered to have been granted to the District of Columbia subject to those provisions of that Act applicable to the proceeds from the sale of land or land scrip.

67 Stat. 83.

"Sec. 109. (a) In the administration of the Act of May 8, 1914 (7 U.S.C. 341–346, 347a–349) (known as the Smith-Lever Act)—

"(1) the Federal City College shall be considered to be a college established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301–305, 307, 308); and

"State."

"(2) the term 'State' as used in such Act of May 8, 1914, shall include the District of Columbia, except that the District of Columbia shall not be eligible to receive any sums appropriated under section 3 of such Act.

Cooperative agricultural extension work.
67 Stat. 84;
76 Stat. 745.

"(b) In lieu of an authorization of appropriations for the District of Columbia under section 3 of such Act of May 8, 1914, there is authorized to be appropriated to the District of Columbia such sums as may be necessary to provide cooperative agricultural extension work in the District of Columbia under such Act. For the fiscal years ending June 30, 1969, and June 30, 1970, sums appropriated under this subsection may be used to pay the total cost of providing such extension work; and for each fiscal year thereafter such sums may be used to pay no more than one-half of such cost. Any reference in such Act (other than section 3 thereof) to funds appropriated under such Act shall in the case of the District of Columbia be considered a reference to funds appropriated under this subsection.

82 Stat. 242.

Federal Extension Service, allotment.

"(c) Four per centum of the sums appropriated under subsection (b) for each fiscal year shall be allotted to the Federal Extension Service of the Department of Agriculture for administrative, technical, and other services provided by the Service in carrying out the purposes of this section.

"Sec. 110. The enactment of sections 107 and 109 of this title shall, as respects the District of Columbia, be deemed to satisfy any requirement of State consent contained in any of the laws or provisions of law referred to in such sections."

Effective date.

Sec. 2. Sections 107 and 108 of the District of Columbia Public Education Act (added by section 1 of this Act) shall take effect with respect to appropriations for fiscal years begining after June 30, 1968.

15. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1969: PROVISIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–373, approved July 3, 1968)

A. Legislative History

Hearings on "1969 NASA Authorization" were held before the House Committee on Science and Astronautics during 12 days in February 1968. The record of the hearings was printed in 4 parts, totaling 2,327 pages. Hearings on "NASA Authorization for Fiscal Year 1969" were held before the Senate Committee on Aeronautical and Space Sciences intermittently in February, March and April, 1968. The record of the hearings was printed in 3 parts totaling 2,159 pages.

H.R. 15856 was introduced on March 11, 1968 by Representative George P. Miller, of California. The bill was referred to the Committee on Science and Astronautics. It was reported from that committee on March 19, 1968 (H. Rept. 1181). It passed the House on May 2, 1968. It was reported in the Senate, from the Committee on Aeronautical and Space Sciences, on May 21, 1968 (S. Rept. 1136). It passed the Senate, amended, and the Senate asked for a conference, on June 10, 1968. The House agreed to the Senate amendment on June 18, 1968. The act was approved by the President on July 3, 1968 and became Public Law 90-373.

B. SUMMARY OF PROVISIONS AFFECTING EDUCATION AND TRAINING

The act authorizes appropriations to the National Aeronautics and Space Administration for "research and development" for Apollo applications, tracking and data acquisition and a number of other programs. It authorizes the use of appropriations for grants to nonprofit institutions of higher education. It includes an appropriation authorization of $9 million for the sustaining university program. It prohibits the use of research and development appropriations for grants to any nonprofit institution of higher learning unless the (NASA) Administrator determines that recruiting personnel of any of the U.S. Armed Forces are not being barred from the premises or property of such institution.

C. PARTIAL TEXT OF THE ACT

The following is a part of the text of Public Law 90-373.

AN ACT To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

National Aeronautics and Space Administration Authorization Act, 1969. Research and development.

(a) For "Research and development," for the following programs:

(1) Apollo, $2,025,000,000;
(2) Apollo applications, $253,200,000;
(3) Advanced missions, $2,500,000;
(4) Physics and astronomy, $136,900,000;
(5) Lunar and planetary exploration, $92,300,000;
(6) Bioscience, $33,000,000;
(7) Space applications, $98,700,000;
(8) Launch vehicle procurement, $115,700,000;
(9) Sustaining university program, $9,000,000;
(10) Space vehicle systems, $31,800,000;
(11) Electronics systems, $35,500,000;
(12) Human factor systems, $19,700,000;

(13) Basic research, $21,000,000;
(14) Space power and electric propulsion systems, $42,300,000;

82 Stat. 280.
82 Stat. 281.

(15) Nuclear rockets, $55,000,000;
(16) Chemical propulsion, $30,200,000;
(17) Aeronautical vehicles, $74,900,000;
(18) Tracking and data acquisition, $289,800,000;
(19) Technology utilization, $3,800,000;

* * * * *

Administrative expenses. Program specifications.

Notice to congressional committees.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

* * * * *

Grants prohibited to nonprofit institutions barring Armed Forces recruiters.

82 Stat. 281.
82 Stat. 282.

Report to Administrator.

(h) No part of the funds appropriated pursuant to subsection (a) of this section may be used for grants to any nonprofit institution of higher learning unless the Administrator or his designee determines at the time of the grant that recruiting personnel of any of the Armed Forces of the United States are not being barred from the premises or property of such institution except that this subsection shall not apply if the Administrator or his designee determines that the grant is a continuation or renewal of a previous grant to such institution which is likely to make a significant contribution to the aeronautical and space activities of the United States. The Secretary of Defense shall furnish to the Administrator or his designee within sixty days after the date of enactment of this Act and each January 30 and June 30 thereafter the names of any nonprofit institutions of higher learning which the Secretary of Defense determines on the date of each such report are barring such recruiting personnel from premises or property of any such institution.

* * * * *

SEC. 5. (a) No part of the funds appropriated pursuant to this Act shall be available for the payment of any salary of an individual convicted by any Federal, State, or local court of competent jurisdiction of—

Salary payments prohibited to convicted rioters.

(1) inciting a riot or civil disorder;

(2) organizing, promoting, encouraging, or participating in a riot or civil disorder;

(3) aiding or abetting any person in committing any offense specified in clause (1) or (2); or

(4) any offense determined by the Administrator of the National Aeronautics and Space Administration to have been committed in furtherance of, or while participating in, a riot or civil disorder;

if the offense for which he is convicted is a felony. Any such individual holding a position in the National Aeronautics and Space Administration on the date his conviction becomes final shall be removed from such position.

* * * * *

16. INCREASE IN NUMBER OF CONGRESSIONAL ALTERNATES TO SERVICE ACADEMIES

(Public Law 90–374, approved July 5, 1968)

A. LEGISLATIVE HISTORY

H.R. 13593 was introduced on October 19, 1967 by Representative L. Mendel Rivers, of South Carolina. The bill was referred to the Committee on Armed Services. Hearings on this and other bills were held before Subcommittee No. 2 of the Committee on Armed Services on March 11 and 12, 1968. The record of the hearings was printed in a volume of 49 pages. H.R. 13593 was reported in the House on April 24, 1968 (H. Rept. 1308). The bill passed the House on May 6, 1968.

In the Senate, hearings on H.R. 13593 and other bills were held before the Committee on Armed Services on June 20, 1968. The record of the hearings was printed in a volume of 41 pages. H.R. 15393 was reported in the Senate on June 24, 1968 (S. Rept. 1316). The bill passed the Senate on June 25, 1968. It was approved by the President on July 5, 1968 and became Public Law 90–374.

B. DIGEST OF THE ACT

The act increases from 5 to 9 the number of congressional alternatives authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies.

C. TEXT OF THE LAW

Following is the text of Public Law 90–374.

AN ACT To amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies

82 Stat. 283.

Armed Forces Academies. Alternates, increase. 78 Stat. 148–151.

Be it enacted by the Senate and House of of Representatives of the United States of America in Congress assembled, That sections 4342(a) (last sentence), 6954(a) (last sentence), 6956(a), and 9342(a) (last sentence) of title 10, United States Code, are each amended by striking out "five" and inserting in place thereof "nine".

17. NATIONAL GALLERY OF ART BUILDING AUTHORIZATION

(Public Law 90–376, approved July 5, 1968)

A. Legislative History

S. 3159 was introduced on March 14, 1968, by Senator B. Everett Jordan, of North Carolina. The bill was referred to the Committee on Public Works. In the House, a companion bill, H.R. 16358, was introduced by request, on April 1, 1968, by Representative George H. Fallon, of Maryland, and Kenneth J. Gray, of Illinois. This bill was referred to the Committee on Public Works.

Hearings on H.R. 16358 were held before the Subcommittee on Public Buildings and Grounds, of the House Committee on Public Works on May 9, 1968. The record of the hearings was printed in a volume of 11 pages.

S. 3159 was reported in the Senate on May 9, 1968 (S. Rept. 1114). It passed the Senate on May 14, 1968, and was referred to the House Committee on Public Works on May 15, 1968.

H.R. 16358 was reported from the House Committee on Public Works on June 4, 1968 (H. Rept. 1513). Under suspension of the rules, on June 17, 1968, H.R. 16358 passed the House, the proceedings were vacated, H.R. 16358 was laid on the table, and S. 3159, as amended, was passed in lieu.

On June 21, 1968 the Senate agreed to the House amendment. S. 3159 was approved by the President on July 5, 1968 and became Public Law 90–376.

B. Digest of the Act

The Act authorizes the Trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive Northwest, in the District of Columbia, and makes provision for the maintenance thereof.

C. Text of the Law

Following is the text of Public Law 90–376:

82 Stat. 286.

AN ACT Authorizing the Trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive Northwest, in the District of Columbia, and making provision for the maintenance thereof

National Gallery of Art. Additional building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the

5

SEC. 5. (a) No part of the funds appropriated pursuant to this Act shall be available for the payment of any salary of an individual convicted by any Federal, State, or local court of competent jurisdiction of—

Salary payments prohibited to convicted rioters.

(1) inciting a riot or civil disorder;

(2) organizing, promoting, encouraging, or participating in a riot or civil disorder;

(3) aiding or abetting any person in committing any offense specified in clause (1) or (2); or

(4) any offense determined by the Administrator of the National Aeronautics and Space Administration to have been committed in furtherance of, or while participating in, a riot or civil disorder;

if the offense for which he is convicted is a felony. Any such individual holding a position in the National Aeronautics and Space Administration on the date his conviction becomes final shall be removed from such position.

* * * * *

16. INCREASE IN NUMBER OF CONGRESSIONAL ALTERNATES TO SERVICE ACADEMIES

(Public Law 90–374, approved July 5, 1968)

A. LEGISLATIVE HISTORY

H.R. 13593 was introduced on October 19, 1967 by Representative L. Mendel Rivers, of South Carolina. The bill was referred to the Committee on Armed Services. Hearings on this and other bills were held before Subcommittee No. 2 of the Committee on Armed Services on March 11 and 12, 1968. The record of the hearings was printed in a volume of 49 pages. H.R. 13593 was reported in the House on April 24, 1968 (H. Rept. 1308). The bill passed the House on May 6, 1968.

In the Senate, hearings on H.R. 13593 and other bills were held before the Committee on Armed Services on June 20, 1968. The record of the hearings was printed in a volume of 41 pages. H.R. 15393 was reported in the Senate on June 24, 1968 (S. Rept. 1316). The bill passed the Senate on June 25, 1968. It was approved by the President on July 5, 1968 and became Public Law 90–374.

B. DIGEST OF THE ACT

The act increases from 5 to 9 the number of congressional alternatives authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies.

C. TEXT OF THE LAW

Following is the text of Public Law 90–374.

AN ACT To amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies

82 Stat. 283.

Trustees of the National Gallery of Art are authorized to construct within the area reserved as a site for future additions by the third sentence of the first section of the joint resolution entitled "Joint Resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937 (50 Stat. 51; 20 U.S.C. 71 et seq.) one or more buildings to serve as additions to the National Gallery of Art. The cost of constructing any such building shall be paid from trust funds administered by such Trustees. The plans and specifications for any such building shall be approved by the Commission of Fine Arts and the National Capital Planning Commission.

SEC. 2. Any building constructed under authority of the first section of this Act shall, upon completion, be a part of the National Gallery of Art.

SEC. 3. Paragraph (2) of section 9 of the Act entitled "An Act relating to the policing of the buildings and grounds of the Smithsonian Institution and its constituent bureaus", approved October 24, 1951 (65 Stat. 634; 40 U.S.C. 193n et seq.) is amended by inserting "(A)" immediately after "held to extend" and by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "(B) to the line of the face of the south curb of Pennsylvania Avenue Northwest, between Fourth Street and Third Street Northwest, to the line of the face of the west curb of Third Street Northwest, between Pennsylvania Avenue and Madison Drive Northwest, to the line of the face of the north curb of Madison Drive Northwest, between Third Street and Fourth Street Northwest, and to the line of the face of the east curb of Fourth Street Northwest, between Pennsylvania Avenue and Madison Drive Northwest." 78 Stat. 366.

Jurisdiction.

SEC. 4. The Commissioner of the District of Columbia is authorized to transfer to the United States such jurisdiction as the District of Columbia may have over any of the property within the area referred to in the first section of this Act.

SEC. 5. If any public utility (whether privately or publicly owned) located within the area referred to in the first section of this Act is required to be relocated or protected by reason of the construction within such area of any addition to the National Gallery of Art, the cost of such relocation or protection shall be paid from trust funds administered by the Trustees of the National Gallery of Art.

18. SECOND SUPPLEMENTAL APPROPRIATION ACT, 1968: APPROPRIATIONS USABLE FOR EDUCATION OR TRAINING

(Public Law 90-392, approved July 9, 1968)

A. LEGISLATIVE HISTORY

Hearings on second supplemental appropriations, 1968, were held before a subcommitte of the House Committee on Appropriations at intervals from February 28 to May 28, 1968. The record of the hearings was printed in a volume of 928 pages. Hearings on these appropriations were held before a subcommittee of the Senate Committee on Appropriations intermittently from June 13 to June 18, 1968. The record of the hearings was printed in a volume of 472 pages.

H.R. 17734, making supplemental appropriations for fiscal 1969, was reported in the House, from the Committee on Appropriations, on June 7, 1968, by Representative George H. Mahon, of Texas (H. Rept. 1531). The bill passed the House on June 11, 1968. It was reported in the Senate, from the Committee on Appropriations, on June 19, 1968 (S. Rept. 1269). It passed the Senate, amended, and the Senate asked for a conference, on June 26, 1968. The conference report was filed on July 1, 1968 (H. Rept. 1608). The Senate and House both agreed to the conference report on July 2, 1968. The act was approved on July 9, 1968 and became Public Law 90-392.

B. SUMMARY OF APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Publicy Law 90-392 makes a number of appropriations which affect education or training or which may be used in whole or in part for educational or training purposes. However, funds made available for such purposes are not in all instances separately identifiable in this act. Following is a list of some of the appropriations which affect education and training or may be used wholly or partly for such purposes.

Department of Agriculture, school lunch program	$10,000,000
District of Columbia, Federal funds for education	5,690,000
Department of the Interior, Bureau of Indian Affairs, education and and welfare services	5,732,000
Department of Labor, manpower development and training activities	13,000,000
Department of Health, Education, and Welfare, Office of Education, school assistance in federally affected areas	90,965,000
Department of Health, Education, and Welfare, Vocational Rehabilitation Administration, grants for rehabilitation services and facilities	1,900,000
United States Information Agency, special international exhibitions	9,307,000
Smithsonian Institution, salaries and expenses	427,000

C. TEXT OF PROVISIONS AFFECTING EDUCATION AND TRAINING

Following is the text of certain provisions of Public Law 90-392 affecting education and training.

82 Stat. 307.

AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes

Second Supplemental Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1968") for the fiscal year ending June 30, 1968, and for other purposes, namely:

TITLE I

CHAPTER I

DEPARTMENT OF AGRICULTURE

* * * * *

Extension Service

COOPERATIVE EXTENSION WORK, PAYMENTS AND EXPENSES

Not to exceed $273,000 shall be released from the amount reserved, under the appropriation granted under this head, pursuant to Public Law 90–218, for increased pay and postage costs as may be necessary in the subappropriations under such appropriation.

* * * * *

SCHOOL LUNCH PROGRAM

For an additional amount for "School lunch program", fiscal year 1969, for the special food service programs for children, including State and Federal administrative expenses therefor, pursuant to the Act of May 8, 1968 (Public Law 90–302), $10,000,000.

Ante, p. 117.

* * * * *

National Agricultural Library

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $30,000, to be derived by transfer from the amount reserved, under the appropriation for "Salaries and expenses", Agricultural Research Service, pursuant to Public Law 90–218: *Provided*, That not to exceed $1,000 of the amount reserved, under the appropriation granted under this head, pursuant to Public Law 90–218, shall be released for increased pay and postage costs.

* * * * *

DISTRICT OF COLUMBIA

Federal Funds

EDUCATION

For an additional amount for "Education", $5,690,000: *Provided*, That $675,000 of this appropriation shall remain available until September 30, 1968, for the purpose of conducting summer programs for children and youth.

* * * * *

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $5,732,000.

* * * * *

DEPARTMENT OF LABOR

Manpower Administration

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

76 Stat. 24;
79 Stat. 75.
42 USC 2572.

For an additional amount to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended, $13,000,000, to remain available until August 31, 1968.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

64 Stat. 1100;
81 Stat. 783.
20 USC 236-244.

For an additional amount for payments to local educational agencies for the maintenance and operation of schools as authorized by title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, $90,965,000, to remain available until July 31, 1968: *Provided*, That funds appropriated, or otherwise made available, by this Act for the fiscal year 1968, shall remain available for obligation for five days after the date of approval of this Act unless a longer period is specifically provided: *Provided further*, That all obligations incurred in anticipation of such appropriations and authority for the fiscal year 1968 as well as those for longer periods as set forth herein are hereby ratified and confirmed if in accordance with the terms hereof.

Vocational Rehabilitation Administration

GRANTS FOR REHABILITATION SERVICES AND FACILITIES

79 Stat. 1290;
81 Stat. 251.
29 USC 34.
Ante, p. 299.
29 USC 32.

For an additional amount for grants for State planning for the development of comprehensive vocational rehabilitation programs under section 4(a)(2)(B) of the Vocational Rehabilitation Act, as amended, not to exceed $1,900,000 to be derived from amounts heretofore appropriated for other vocational rehabilitation activities, excluding funds for rehabilitation services under section 2 of the Vocational Rehabilitation Act, as amended, and not withstanding specific limitations set forth in the Department of Health, Education, and Welfare Appropriation Act, 1968, for the various activities authorized by the Vocational Rehabilitation Act, as amended: *Provided*, That the foregoing amount, together with amounts heretofore appropriated for grants under such section 4(a)(2)(B), shall remain available until June 30, 1969. 81 Stat. 390.

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UNITED STATES INFORMATION AGENCY

SPECIAL INTERNATIONAL EXHIBITIONS

For an additional amount for "Special international exhibitions", for United States participation in the World Exposition to be held in Osaka, Japan, in 1970, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), including not to exceed $15,000 for official reception and representation expenses, to remain available until expended, $9,307,000, of which $1,431,000 shall be derived by transfer from the amount reserved under, the appropriation available to the United States Information Agency for "Salaries and expenses", pursuant to Public Law 90–218: *Provided*, That not less than fifty per centum of the amount appropriated herein shall be paid in Japanese yen accrued under the Settlement on Post War Economic Assistance between the United States and Japan, dated January 9, 1962: *Provided further*, That this appropriation shall be available without regard to 5 U.S.C. 3108. 75 Stat. 527. 81 Stat. 662. 80 Stat. 416.

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LEGISLATIVE BRANCH

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LIBRARY OF CONGRESS

"Salaries and expenses": Not to exceed $156,000 of the amount allocated for rental of space under this heading, fiscal year 1968, may be used for increased pay costs.

Copyright Office, "Salaries and expenses", $81,032, to be derived by transfer from the appropriation "Salaries and expenses", Library of Congress, fiscal year 1968.

Legislative Reference Service, "Salaries and expenses", $110,323, to be derived by transfer from the appropriation "Salaries and expenses", Books for the blind and physically handicapped, fiscal year 1968.

"Collection and distribution of library materials (special foreign currency program)", $6,443, to be derived by transfer from the appropriation "Salaries and expenses", Books for the blind and physically handicapped, fiscal year 1968.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

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OFFICE OF EDUCATION

"School assistance in federally affected areas": (Release of $18,000 pursuant to Public Law 90–218).

"Higher educational activities": (Release of $86,000 pursuant to Public Law 90–218).

"Salaries and expenses", $194,000, to be derived by transfer from the amount reserved under "Elementary and secondary educational activities", Office of Education, pursuant to Public Law 90–218; (and release of $666,000 reserved under "Salaries and expenses" pursuant to Public Law 90–218).

"Civil rights educational activities": (Release of $29,000 pursuant to Public Law 90–218).

VOCATIONAL REHABILITATION ADMINISTRATION

"Salaries and expenses": (Release of $50,000 pursuant to Public Law 90–218).

PUBLIC HEALTH SERVICE

Health manpower: "Health manpower education and utilization": (Release of $270,000 pursuant to Public Law 90–218).

Disease prevention and environmental control:

"Chronic diseases": (Release of $393,000 pursuant to Public Law 90–218);

"Communicable diseases": (Release of $1,024,000 pursuant to Public Law 90–218);

"Urban and industrial health": (Release of $390,000 pursuant to Public Law 90–218): and

"Radiological health": (Release of $325,000 pursuant to Public Law 90–218).

* * * * *

SPECIAL INSTITUTIONS

"Gallaudet College, salaries and expenses", $41,000, to be derived by transfer from the amount reserved under "Higher educational activities", Office of Education, pursuant to Public Law 90–218.

"Howard University, salaries and expenses", $234,000, to be derived by transfer from the amount reserved under "Higher educational activities", Office of Education, pursuant to Public Law 90–218.

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DEPARTMENT OF STATE

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EDUCATIONAL EXCHANGE

"Mutual educational and cultural exchange activities": (Release of $263,000 pursuant to Public Law 90–218).

"Migration and refugee assistance": (Release of $12,000 pursuant to Public Law 90–218).

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SMITHSONIAN INSTITUTION

"Salaries and expenses", $427,000.

"Salaries and expenses, National Gallery of Art", $28,000.

19. THE STANDARD REFERENCE DATA ACT

(Involving participation by educational institutions in a standard reference data program)

(Public Law 90–396, approved July 11, 1968)

A. Legislative History

In the House, the "Standard Reference Data Act" was introduced, as H.R. 6279, on February 28, 1967, by Representative George P. Miller, of California. The bill was referred to the Committee on Science and Aeronautics.

In the Senate the "Standard Reference Data Act" was introduced, as S. 998, on February 16, 1967, by Senator Warren G. Magnuson, of Washington. This bill was referred to the Committee on Commerce. Hearings on S. 998 were held before the Committee on Commerce on May 15, 1967. The record of the hearings was printed in a volume of 20 pages. No further action was taken on S. 998, as such.

H.R. 6279 was reported in the House on May 15, 1967 (H. Rept. 260). It passed the House on August 14, 1967. It was reported in the Senate on June 12, 1968 (S. Rept. 1230). It passed the Senate, amended, on June 13, 1968. The House agreed to the Senate amendment on June 27, 1968. The act was approved on July 11, 1968 and became Public Law 90–396.

B. Digest of the Act

(Note: The report from the Senate Committee on Commerce on the Standard Reference Data Act contains the following statement: "It is generally agreed that private industry, academic institutions, and government agencies must all participate in the standard reference data program * * *")

The Act authorizes and directs the Secretary of Commerce to provide or arrange for the collection, compilation, critical evaluation, publication and dissemination of reliable standardized scientific and technical reference data.

Authorizes the Secretary in carrying out this program to utilize the reference data services and facilities of other agencies and instrumentalities of the Federal Government and of State and local governments, persons, firms, institutions, and associations, with their consent and in such a manner as to avoid duplication of these services and facilities. Encourages all agencies and instrumentalities of the Federal Government to exercise their duties and functions in such manner as will assist in carrying out the purpose of this Act.

Provides, in order to effect integration and coordination of standard reference data activities, that the Secretary, in consultation with other interested Federal agencies, shall prescribe and publish in the Federal Register such standards, criteria, and procedures for the preparation and publication of standard reference data as may be necessary to carry out the provisions of this Act.

Provides that copyright may be obtained by the Secretary on behalf of the United States as author or proprietor in all or any part of any standard reference data which he prepares or makes available under this Act, and that standard reference data may be sold by the Secretary or by a person or agency designated by him, and at prices which reflect the cost of collection, compilation, evaluation, publication and dissemination of the data, including administrative expenses.

C. Text of the law

Following is the text of Public Law 90-396.

AN ACT To provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data

Standard Reference Data Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Section 1. The Congress hereby finds and declares that reliable standardized scientific and technical reference data are of vital importance to the progress of the Nation's science and technology. It is therefore the policy of the Congress to make critically evaluated reference data readily available to scientists, engineers, and the general public. It is the purpose of this Act to strengthen and enhance this policy.

82 Stat. 339.

82 Stat. 340.

DEFINITIONS

Sec. 2. For the purposes of this Act—

(a) The term "standard reference data" means quantitative information, related to a measurable physical or chemical property of a substance or system of substances of known composition and structure, which is critically evaluated as to its reliability under section 3 of this Act.

(b) The term "Secretary" means the Secretary of Commerce.

Collection and publication of standard reference data.

Sec. 3. The Secretary is authorized and directed to provide or arrange for the collection, compilation, critical evaluation, publication, and dissemination of standard reference data. In carrying out this program, the Secretary shall, to the maximum extent practicable, utilize the reference data services and facilities of other agencies and instrumentalities of the Federal Government and of State and local governments, persons, firms, institutions, and associations, with their consent and in such a manner as to avoid duplication of those services and facilities. All agences and instrumentalities of the Federal Government are encouraged to exercise their duties and functions in such manner as will assist in carrying out the purpose of this Act.

This section shall be deemed complementary to existing authority, and nothing herein is intended to repeal, supersede, or diminish existing authority or responsibility of any agency or instrumentality of the Federal Government.

Standards, etc. Publication in Federal Register.

SEC. 4. To provide for more effective integration and coordination of standard reference data activities, the Secretary, in consultation with other interested Federal agencies, shall prescribe and publish in the Federal Register such standards, criteria, and procedures for the preparation and publication of standard reference data as may be necessary to carry out the provisions of this Act.

Sale of reference data. Cost recovery.

SEC. 5. Standard reference data conforming to standards established by the Secretary may be made available and sold by the Secretary or by a person or agency designated by him. To the extent practicable and appropriate, the prices established for such data may reflect the cost of collection, compilation, evaluation, publication, and dissemination of the data, including administrative expenses; and the amounts received shall be subject to the Act of March 3, 1901, as amended (15 U.S.C. 271-278e).

31 Stat. 1449; *Ante*, p. 34.

U.S. copyright and renewal rights. 61 Stat. 655; 76 Stat. 446.

SEC. 6. (a) Notwithstanding the limitations contained in section 8 of title 17 of the United States Code, the Secretary may secure copyright and renewal thereof on behalf of the United States as author or proprietor in all or any part of any standard reference data which he prepares or make available under this Act, and may authorize the reproduction and publication thereof by others.

82 Stat. 340

(b) The publication or republication by the Government under this Act, either separately or in a public document, of any material in which copyright is subsisting shall not be taken to cause any abridgment or annulment of the copyright or to authorize any use of appropriation of such material without the consent of the copyright proprietor.

Appropriation.

SEC. 7. There are authorized to be appropriated to carry out this Act, $1.86 million for the fiscal year ending June 30, 1969. Notwithstanding the provisions of any other law, no appropriations for any fiscal year may be made for the purpose of this Act after fiscal year 1969 unless previously authorized by legislation hereafter enacted by the Congress.

Short title.

SEC. 8. This Act may be cited as the "Standard Reference Data Act."

20. INCREASE IN SIZE OF BOARD OF DIRECTORS OF GALLAUDET COLLEGE

(Public Law 90-415, approved July 23, 1968)

A. LEGISLATIVE HISTORY

On June 26, 1968, the Select Subcommittee on Education of the Committee on Education and Labor held hearings on H.R. 17554 and H.R. 16802, bills proposing to increase the size of the Board of Directors of Gallaudet College. The record of the hearings was printed in a volume of 20 pages. No further action was taken on these bills.

H.R. 18203, a similar bill to amend the charter of Gallaudet College, was introduced on June 27, 1968 by Representative Hugh L. Carey, of New York, and others. The bill was referred to the Committee on Education and Labor. It was reported from that committee on July 11, 1968 (H. Rept. 1689). Under suspension of the rules, it passed the House on July 15, 1968. It passed the Senate on July 17, 1968. It was approved on July 23, 1968 and became Public Law 90–415.

B. Digest of the Act

The Act increases the size of the Board of Directors of Gallaudet College by 8 nonpublic members, and changes from 7 to 9 the number of members constituting a quorum.

C. Text of the Law

Following is the text of Public Law 90–415.

82 Stat. 397.

AN ACT To increase the size of the Board of Directors of Gallaudet College, and for other purposes

Gallaudet College. Board of Directors.

68 Stat. 265. D.C. Code 31–1029.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes", approved June 18, 1954, is "twenty-one", and by striking out in clause (2) "ten" and insert- amended by striking out "thirteen" and inserting in lieu thereof ing in lieu thereof "eighteen".

Sec. 2. Effective with the election of the eight additional members provided for under the amendment made by the first section, the fourth sentence of such section 5 is amended by striking out "Seven" and inserting in lieu thereof "Nine".

21. EXTENSION OF THE DURATION OF COPYRIGHT PROTECTION

(Public Law 90–416, approved July 23, 1968)

A. Legislative History

Senate Joint Resolution 172, a proposal to extend the duration of copyright protection in certain cases, was introduced on May 22, 1968 by Senator John L. McClellan, of Arkansas. The joint resolution was referred to the Committee on the Judiciary. It was reported from that committee on June 10, 1968 (S. Rept. 1181). It passed the Senate on June 12, 1968 and was referred to the House Committee on the Judiciary on June 13, 1968.

The joint resolution was reported in the House on July 2, 1968 (H. Rept. 1613). It passed the House on July 15, 1968. It was approved on July 23, 1968 and became Public Law 90–416.

B. Digest of the Joint Resolution

The joint resolution extends the duration of copyright protection in certan cases.

C. Text of the Law

Following is the text of Public Law 90-416.

JOINT RESOLUTION Extending the duration of copyright protection in certain cases

82 Stat. 397.

Copyright protection. Extension.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87-668, by Public Law 89-142, or by Public Law 90-141 (or by all or certain of said laws), would expire prior to December 31, 1969, such term is hereby continued until December 31, 1969.

81 Stat. 464. 17 USC 24 note.

22. LEGISLATIVE BRANCH APPROPRIATION ACT, 1969: PROVISIONS AFFECTING EDUCATION

(Public Law 90-417, approved July 23, 1968)

A. Legislative History

Hearings on Legislative Branch Appropriations for fiscal 1969 were held before a Subcommittee of the House Committee on Appropriations at intervals from March 19 to June 10, 1968. The record of the hearings was printed in a volume of 699 pages. Hearings on these appropriations were held before a subcommittee of the Senate Committee on Appropriations intermittently from April 17 to June 27, 1968. The record of the hearings was printed in a volume of 386 pages.

H.R. 18038, making appropriations to the Legislative Branch for fiscal 1969, was reported in the House, from the Committee on Appropriations, on June 20, 1968, by Representative George Andrews, of Alabama (H. Rept. 1576). The bill passed the House on June 27, 1968. It was reported in the Senate, from the Committee on Appropriations, on July 13, 1968 (S. Rept. 1350). It passed the Senate, amended, and the Senate asked for a conference, on July 9, 1968. On July 11, 1968 the House agreed to a conference. The conference report was filed on July 15, 1968 (H. Rept. 1718). The House agreed to the conference report on July 16, 1968. The Senate agreed to the conference report on July 17, 1968. The act was approved by the President on July 23, 1968 and became Public Law 90-417.

B. Digest of Certain Provisions Affecting Education

For fiscal 1969 the act appropriates $94,579 for the education of congressional and Supreme Court pages; $1,335,000 for library buildings and grounds; $565,000 for salaries and expenses of the Botanic Garden (largely educational); and $17,240,000 for salaries and expenses of the Library of Congress (generally educational).

C. Text of Certain Provisions Affecting Education

Following is the text of certain provisions of Public Law 90-417 affecting education.

82 Stat. 398.

AN ACT Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1969, and for other purposes

Legislative Branch Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1969, and for other purposes, namely:

* * * * *

Education of Pages

60 Stat. 839. 2 USC 88a.

For education of congressional pages and pages of the Supreme Court, pursuant to section 243 of the Legislative Reorganization Act, 1946, $94,579, which amount shall be advanced and credited to the applicable appropriation of the District of Columbia, and the Board of Education of the District of Columbia, is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services in accordance with such rates of compensation as the Board of Education may prescribe.

* * * * *

Library Buildings and Grounds

STRUCTURAL AND MECHANICAL CARE

41 USC 5.

For necessary expenditures for mechanical and structural maintenance, including improvements, equipment, supplies, waterproof wearing apparel, and personal and other services, $985,000, of which not to exceed $10,000 shall be available for expenditure without regard to section 3709 of the Revised Statutes, as amended.

The unobligated balance of that part of the appropriation under this head for the fiscal year 1967, made available until June 30, 1968, is hereby continued available until June 30, 1969.

FURNITURE AND FURNISHINGS

For furniture, partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, office and library equipment, apparatus, and labor-saving devices, $350,000.

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden and the nurseries, buildings, grounds, collections, and equipment pertaining thereto, including personal services; waterproof wearing apparel; not to exceed $25 for emergency medical supplies; traveling expenses, including bus fares, not to exceed $275; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; purchase and exchange of motor trucks; purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed $100; all under the direction of the Joint Committee on the Library; $565,000.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress, not otherwise provided for, including development and maintenance of the Union Catalogs; custody, care, and maintenance of the Library Buildings; special clothing; cleaning, laundering, and repair of uniforms; preservation of motion pictures in the custody of the Library; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $17,240,000, including $613,000 to be available for reimbursement to the General Services Administration for rental of suitable space in the District of Columbia or its immediate environs for the Library of Congress, together with $478,000 to be derived by transfer from the appropriations made for the Office of Education, Department of Health, Education, and Welfare. 82 Stat. 410.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, $2,878,000.

LEGISLATIVE REFERENCE SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166), $3,650,000; *Provided*, That no part of this appropriation may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration or the Senate Committee on Rules and Administration. 60 Stat. 836.

DISTRIBUTION OF CATALOG CARDS

SALARIES AND EXPENSES

For necessary expenses for the preparation and distribution of catalog cards and other publications of the Library, $7,300,000: *Provided*, That $200,000 of this appropriation shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to provide for expenses (excluding permanent personal services) for workload increases not anticipated in the budget estimates and which cannot be provided for by normal budgetary adjustments.

BOOKS FOR THE GENERAL COLLECTIONS

For necessary expenses (except personal services) for acquisition of books, periodicals, and newspapers, and all other material for the increase of the Library, $665,000, to remain available until expended, including $25,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections.

BOOKS FOR THE LAW LIBRARY

For necessary expenses (except personal services) for acquisition of books, legal periodicals, and all other material for the increase of the law library, $125,000, to remain available until expended.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

80 Stat. 330.

For salaries and expenses to carry out the provisions of the Act approved March 3, 1931 (2 U.S.C. 135a), as amended, $6,668,000.

82 Stat. 411.

ORGANIZING AND MICROFILMING THE PAPERS OF THE PRESIDENTS

SALARIES AND EXPENSES

2 USC 131 note.

For necessary expenses to carry out the provisions of the Act of August 16, 1957 (71 Stat. 368), as amended by the Act of April 27, 1964 (78 Stat. 183), $112,800, to remain available until expended.

COLLECTION AND DISTRIBUTION OF LIBRARY MATERIALS

(SPECIAL FOREIGN CURRENCY PROGRAM)

80 Stat. 1530.

For necessary expenses for carrying out the provisions of section 104(b)(5) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), to remain available until expended, $2,000,000 of which $1,807,600 shall be available only for payments in foreign currencies which the

Treasury Department shall determine to be excess to the normal requirements of the United States.

ADMINISTRATIVE PROVISIONS

Appropriations in this Act available to the Library of Congress for salaries shall be available for expenses of investigating the loyalty of Library employees; special and temporary services (including employees engaged by the day or hour or in piecework); and services as authorized by 5 U.S.C. 3109.

80 Stat. 416. Employment of aliens.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of appropriation Acts concerning the employment of aliens during the current fiscal year, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointments a person in any of the categories specified in such provisions who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

Disbursement of funds.

Funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad; for purchase or hire of passenger motor vehicles; and for payment of travel, storage and transportation of household goods, and transportation and per diem expenses for families en route (not to exceed twenty-four) subject to such rules and regulations as may be issued by the Librarian of Congress.

Advance payments.

Payments in advance for subscriptions or other charges for bibliographical data, publications, materials in any other form, and services may be made by the Librarian of Congress whenever he determines it to be more prompt, efficient, or economical to do so in the interest of carrying out required Library programs.

23. DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1969: PROVISIONS CONCERNING EDUCATION AND TRAINING

(Public Law 90–425, approved July 26, 1968)

A. LEGISLATIVE HISTORY

Hearings on the Department of the Interior and Related Agencies appropriations for 1969 were held before a subcommittee of the House Committee on Appropriations intermittently from February 15 to March 13, 1968. The record of the hearings was printed in 3 parts totaling 3,309 pages.

Hearings on these appropriations were held before a subcommittee of the Senate Committee on Appropriations at intervals from February 19, 1968 to March 19, 1968. The record of the hearings was printed in 2 parts totaling 2,701 pages.

H.R. 17354, making appropriations for the Department of the Interior and related agencies for fiscal 1969, was reported from the House Committee on Appropriations by Representative Julia Butler Hansen, of Washington, on May 16, 1968 (H. Rept. 1395). The bill passed the House on May 21, 1968. It was reported in the Senate, from the Committee on Appropriations, on June 21, 1968 (S. Rept. 1275). It passed the Senate, amended, on June 26, 1968, and the Senate asked for a conference on that date. On June 27, 1968, the House agreed to a conference. The conference report was filed on July 10, 1968 (H. Rept. 1664). The House and Senate both agreed to the conference report on July 11, 1968. The act was approved by the President on July 26, 1968 and became Public Law 90–425.

B. Summary of Appropriations Affecting Education and Training

Some funds made available to the Department of the Interior and related agencies for educational and training purposes are included in appropriations for other functions and are not separately identifiable in this act. It includes, however, the following specific appropriations: for education and welfare services of the Bureau of Indian Affairs, $140,693,000; for salaries and expenses of the National Foundation on the Arts and the Humanities, $10,500,000; for salaries and expenses of the Smithsonian Institution $25,748,000; for salaries and expenses of the National Gallery of Art, $3,200,000.

C. Text of Provisions Affecting Education and Training

Following is the text of certain provisions of Public Law 90–425.

AN ACT Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes

Department of the Interior and Related Agencies Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes, namely:

* * * * *

Bureau of Indian Affairs

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenace of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $140,693,000.

* * * * *

National Foundation on the Arts and the Humanities

SALARIES AND EXPENSES

For expenses necessary to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $10,500,000, of which $5,400,000 shall be available until expended to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups, individuals, and States pursuant to section 5(c) and 5(h) of the Act and for support of the functions of the National Council on the Arts set forth in Public Law 88–579; $3,700,000 shall be available until expended to the National Endowment for the Humanities for support of activities in the humanities pursuant to section 7(c) of the Act; and $1,400,000 shall be available for administering the provisions of the Act: *Provided*, That in addition, there is appropriated in accordance with the authorization contained in section 11(b) of the Act, to remain available until expended, amounts equal to the total amounts of gifts, bequests, and devises of money, and other property received by each Endowment during the current fiscal year, under the provisions of section 10(a)(2) of the Act, but not to exceed a total of $1,000,000: *Provided further*, That not to exceed 3 percent of the funds appropriated to the National Endowment for the Arts for the purposes of sections 5(c), 5(h) and functions under Public Law 88–579 and not to exceed 3 percent of the funds appropriated to the National Endowment for the Humanities for the purposes of section 7(c) shall be available for program development and evaluation.

79 Stat. 845.
20 USC 951, note.
78 Stat. 905.
20 USC 781, note.
82 Stat. 442.
79 Stat. 850.
20 USC 956.
20 USC 960.
20 USC 959.
20 USC 954.
78 Stat. 905.
20 USC 781 note.

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Smithsonian Institution

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, including research; preservation, exhibition, and increase of collections from Government and other sources; international exchanges; anthropological research; maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; administration of the National Collection of Fine Arts and the National Portrait Gallery; including not to exceed $35,000 for services as authorized by 5 U.S.C. 3109; purchase, repair, and cleaning of uniforms for guards and elevator operators, and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), for other employees; repairs and alterations of buildings and approaches; and preparation of manuscripts, drawings, and illustrations for publications; $25,748,000.

80 Stat. 508;
81 Stat. 206.

MUSEUM PROGRAMS AND RELATED RESEARCH (SPECIAL FOREIGN CURRENCY PROGRAM)

80 Stat. 1529.
82 Stat. 443.

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses for carrying out museum programs and related research in the natural sciences and cultural history under the provisions of section 104(b)(3) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)(3)), $2,316,000, to remain available until expended and to be available only to United States institutions: *Provided*, That this appropriation shall be available, in addition to other appropriations to the Smithsonian Institution, for payments in the foregoing currencies.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, $300,000, to remain available until expended.

RESTORATION AND RENOVATION OF BUILDINGS

20 USC 53a.
80 Stat. 416.

For necessary expenses of restoration and renovation of buildings owned or occupied by the Smithsonian Institution, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $400,000, to remain available until expended.

CONSTRUCTION

For an additional amount for necessary expenses of the preparation of plans and specifications and for the construction of the Joseph H. Hirshhorn Museum and Sculpture Garden, $2,000,000, to remain available until expended: *Provided*, That such sums as are necessary may be transferred to the General Services Administration for execution of the work: *Provided further*, That the Administrator of the General Services Administration is authorized to enter into contracts in an amount not to exceed $14,197,000 for the purposes hereof.

SALARIES AND EXPENSES, NATIONAL GALLERY OF ART

53 Stat. 577.
20 USC 71–74, 75.

For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase, or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and not to exceed $20,000 for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper; $3,200,000.

80 Stat. 508; 81 Stat. 206.

24. EXTENSION OF STUDENT LOAN ASSISTANCE PROGRAMS

(Public Law 90–460, approved August 3, 1968)

A. Legislative History

In the House, hearings on "Higher Education Amendments of 1968" were held before the Special Subcommittee on Education of the Committee on Education and Labor in Washington, D.C., on February 6, 7, 8, 9, 20, 26, 28, 29 and March 1, 4, 5, 6, 7, and 8, 1968. The record of the hearings was printed in two parts totaling 912 pages. The hearings related to H.R. 15067. Further action on this bill is reviewed in this report under the heading "Higher Education Amendments of 1968."

In the Senate, hearings on "Education Legislation, 1968," were held before the Subcommittee on Education of the Committee on Labor and Public Welfare on March 12, 13, 25, 26, 27 and 28 in Washington, D.C.; on March 29 in Austin, Texas; and on April 2, 3, 4 and 5 in Washington, D.C. The record of the hearings was printed in 8 parts, including appendixes, totaling 6,584 pages. The hearings related to (1) S. 3098, a bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts; and (2) S. 3099, a bill to amend the Vocational Education Act of 1963, and for other purposes; and related bills. No further action was taken on S. 3098 or S. 3099.

H.R. 16729, a bill "to extend for two years certain programs providing assistance to students at institutions of higher education, to modify such programs, and to provide for planning, evaluation, and adequate leadtime in such programs," was introduced on April 23, 1968, by Representative Carl D. Perkins, of Kentucky, and 24 other Members of the House. The bill was referred to the Committee on Education and Labor. It was reported from that committee on April 26, 1968 (H. Rept. 1319). It passed the House on May 9, 1968. In the Senate, the committee was discharged on July 31, 1968. H.R. 16729 passed the Senate, amended, on July 31, 1968. The House agreed to the Senate amendments on July 31, 1968. The Act was approved on August 3, 1968 and became Public Law 90–460.

B. Digest of the Act

The Act extends the student loan insurance programs under the Higher Education Act and the National Vocational Student Loan Insurance Act from June 30, 1968 to October 31, 1968.

It increases the maximum interest rate under student loan insurance programs from six percent to seven percent or one percent per year of the unpaid principal balance in States which do not permit a seven percent interest.

It authorizes the Commissioner to enter into a guarantee agreement with any State or nonprofit private insurer, which has an agreement with the Commissioner with respect to payments to reduce student interest costs. Authorizes reimbursement to the insurer in an amount equal to eighty percent of the amount expended by it in discharge of its insurance obligation, incurred under its loan insurance program, with respect to losses (resulting from the default, death or permanent and total disability of the student borrower) on the unpaid balance of the principal (other than interest added to principal) of any insured loan with respect to which a portion of the interest is payable by the Commissioner (or would be payable if the borrower's adjusted family income did not exceed $15,000).

C. Text of the Law

Following is the text of Public Law 90–460.

Higher education. Student assistance programs, extension.

AN ACT To extend for two years certain programs providing assistance to students at institutions of higher education, to modify such programs, and to provide for planning, evaluation, and adequate leadtime in such programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSION OF STUDENT LOAN INSURANCE PROGRAMS

79 Stat. 1237.
20 USC 1074.

Section 1. (a) (1) Section 424(a) of the Higher Education Act of 1965 is amended (A) in the first sentence by striking out "fiscal year ending June 30, 1968" and inserting in lieu thereof "period thereafter ending October 31, 1968", and (B) in the second sentence by striking out "June 30, 1972" and inserting "October 31, 1968".

20 USC 1078.

(2) Section 428(a) of such Act is amended by striking out "June 30, 1968" and all that follows down through the period and inserting in lieu thereof "October 31, 1968."

79 Stat. 1038.
20 USC 984.
82 Stat. 634.

(b) (1) Section 5(a) of the National Vocational Student Loan Insurance Act of 1965 is amended (A) in the first sentence by striking out "and in each of the two succeeding fiscal years" and inserting in lieu thereof "in the fiscal year ending June 30, 1967, and in the period thereafter ending October 31, 1968", and (B) in the second sentence by striking out "June 30, 1972" and inserting in lieu thereof "October 31, 1968".

82 Stat. 635.
20 USC 988.

(2) Section 9(a)(4) of such Act is amended by striking out "June 30, 1968" and all that follows down through the period and inserting in lieu thereof "October 31, 1968."

20 USC 989.

(3) Section 10(b) of such Act is amended by adding at the end thereof the following new sentence: "No loan may be made under this section after October 31, 1968."

INCREASE OF MAXIMUM INTEREST RATE UNDER STUDENT LOAN INSURANCE PROGRAMS; ADMINISTRATIVE COSTS

79 Stat. 1240.
20 USC 1077.

SEC. 2. (a) (1) Section 427(b) of the Higher Education Act of 1965 is amended by striking out "6 per centum" and all that follows and inserting in lieu thereof "7 per centum per annum on the unpaid principal balance of the loan."

20 USC 1078.

(2) Section 428(b) (1) (E) of the Higher Education Act of 1965 is amended by striking out "6 per centum" and inserting in lieu thereof "7 per centum".

(b) (1) Paragraph (2) of section 428(a) of the Higher Education Act of 1965 is amended by inserting "(A)" after "(2)" and by adding at the end of that subparagraph the following new subparagraph:

"(B) When, due to State laws which do not permit an interest rate of 7 per centum per annum, and when the Commissioner determines that such statutory limitations threaten to impede the carrying out of the purposes of this part, he may authorize an administrative cost allowance, not to exceed 1 percentum per annum of the unpaid principal balance, for the term of any loan insured by the Commissioner under this part or under a State or private nonprofit student loan insurance program covered by an agreement under subsection (b). Such an administrative cost allowance may be paid on loans made during the period beginning on the date of enactment of this subparagraph and ending on October 31, 1968."

(2) (A) Section 428(a) (1) of such Act is amended by inserting after the first sentence the following new sentence: "In addition, the Commissioner shall pay an administrative cost allowance in the amount established by paragraph (2) (B) of this subsection with respect to loans to any such student but without regard to the student's adjusted family income."

20 USC 1078.

(B) Section 428(a) (2) (A) (as so designated by the section) is amended by inserting after the first sentence the following: "For purposes of the preceding sentence, the term 'interest' includes any administrative cost allowance paid pursuant to subparagraph (B)."

(C) The second sentence of section 428(a) (2) (A) of such Act is amended by inserting "and the administrative cost allowance payable under this subsection" after "determined".

(D) Section 428(a) (3) of such Act is amended by inserting "or of administrative cost allowances" after "interest".

79 Stat. 1236.
20 USC 1071.
79 Stat. 1040.
20 USC 987.

(3) Section 421(b) (2) of such Act is amended by inserting "and administrative cost allowances" after "interest".

(c) (1) Section 8(b) of the National Vocational Student Loan Insurance Act of 1965 is amended by striking out "6 per centum" and all that follows and inserting in lieu thereof "7 per centum per annum on the unpaid principal balance of the loan."

20 USC 988.

(2) Section 9(b) (1) (E) of the National Vocational Student Loan Insurance Act of 1965 is amended by striking out "6 per centum" and inserting in lieu thereof "7 per centum."

(d) (1) Paragraph (2) of section 9(a) of the National Vocational Student Loan Insurance Act of 1965 is amended by inserting "(A)" after "(2)" and by adding at the end of that subparagraph the following new subparagraph:

82 Stat. 635.
82 Stat. 636.

"(B) When, due to State laws which do not permit an interest rate of 7 per centum per annum, and when the Commissioner determines that such statutory limitations threaten to impede the carrying out of the purposes of this Act, he may authorize an administrative cost allowance, not to exceed 1 per centum per annum of the unpaid principal balance, for the term of any loan insured by the Commissioner under this part or under a State or private nonprofit student loan insurance program covered by an agreement under subsection (b). Such an administrative costs allowance may be paid on loans made during the period beginning on the date of enactment of this subparagraph and ending on October 31, 1968."

(2) (A) Section 9(a) (1) of such Act is amended by inserting after the first sentence the following new sentence: "In addition, the Commissioner shall pay an administrative cost allowance in the amount established by paragraph (2) (B) of this subsection with respect to loans to any such student but without regard to the student's adjusted family income."

(B) Section 9(a) (2) (A) of such Act (as so designated by this section) is amended by inserting after the first sentence the following: "For purposes of the preceding sentence, the term 'interest' includes any administrative cost allowance paid pursuant to subparagraph (B)."

(C) The second sentence of section 9(a) (2) (A) of such Act is amended by inserting "and the administrative cost allowance payable under this subsection" after "determined".

(D) Section 9(a) (3) of such Act is amended by inserting "or of administrative cost allowances" after "interest".

79 Stat. 1037.
20 USC 981.

(3) Section 2(b) (2) of such Act is amended by inserting "and administrative cost allowances" after "interest".

FEDERAL GUARANTY OF STUDENT LOANS INSURED UNDER NON-FEDERAL PROGRAMS

79 Stat. 1236.
20 USC 1071.

SEC. 3. (a) Section 421(a) of the Higher Education Act of 1965 is amended by striking out "and" before "(3)", and by inserting before the period at the end of that subsection the following: ", and (4) to guarantee a portion of each loan insured under a program of a State or of a nonprofit private institution or organization which meets the requirements of section 428(a) (1) (C)".

20 USC 1078.

(b) Section 428 of such Act is amended by adding after subsection (b) the following new subsection:

"(c) (1) The Commissioner may enter into a guaranty agreement with any State or any nonprofit private institution or organization with which he has an agreement pursuant to subsection (b), whereby the Commissioner shall undertake to reimburse it, under such terms and conditions as he may establish, in an amount equal to 80 per centum of the amount expended by it in discharge of its insurance obligation, incurred under its loan insurance program, with respect to losses (resulting from the default, death, or permanent and total disability of the student borrower) on the unpaid balance of the principal (other than interest added to principal) of any insured loan with respect to which a portion of the interest (A) is payable by the Commissioner under subsection (a), or (B) would be payable under such subsection but for the adjusted family income of the borrower.

Provisions.

"(2) The guaranty agreement—

"(A) shall set forth such administrative and fiscal procedures as may be necessary to protect the United States from the risk of unreasonable loss thereunder, to insure proper and efficient administration of the loan insurance program, and to assure that due diligence will be exercised in the collection of loans insured under the program;

82 Stat. 636.
82 Stat. 637.

Reports; recordkeeping.

"(B) shall provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this subsection, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(C) shall set forth adequate assurance that, with respect to so much of any loan insured under the loan insurance program as may be guaranteed by the Commissioner pursuant to this subsection, the undertaking of the Commissioner under the guaranty agreement is acceptable in full satisfaction of State law or regulation requiring the maintenance of a reserve;

"(D) shall provide that if, after the Commissioner has made payment under the guaranty agreement pursuant to paragraph (1) of this subsection with respect to any loan, any payments are made in discharge of the obligation incurred by the borrower with respect to such loan (including any payments of interest accruing on such loan after such payment by the Commissioner), there shall be paid over to the Commissioner (for deposit in the fund established by section 431) such proportion of the amounts of such payments as is determined (in accordance with regulations prescribed by the Commissioner) to represent his equitable share thereof, but shall not otherwise provide for subrogation of the United States to the rights of any insurance beneficiary: *Provided*, That, except as the Commis-

20 USC 1081.

sioner may otherwise by or pursuant to regulation provide, amounts so paid by a borrower on such a loan shall be first applied in reduction of principal owing on such loan; and

"(E) may include such other provisions as may be necessary to promote the purposes of this part.

"(3) To the extent provided in regulations of the Commissioner, a guaranty agreement under this subsection may contain provisions which permit such forbearance for the benefit of the student borrower as may be agreed upon by the parties to an insured loan and approved by the insurer. Nothing in this subsection shall be construed to require collection of the amount of any loan by the insurance beneficiary or its insurer from the estate of a deceased borrower or from a borrower found by the insurance beneficiary or its insurer to have become permanently and totally disabled.

"Insurance beneficiary"; "default."
79 Stat. 1244.
20 USC 1080.

"(4) For purposes of this subsection—

"(A) the terms 'insurance beneficiary' and 'default' shall have the meanings assigned to them by section 430(e), and

"(B) permanent and total disability shall be determined in accordance with regulations of the Commissioner.

79 Stat. 1042.
***Ante*, p. 635.**
20 USC 988.
82 Stat. 637.
82 Stat. 638.

"(5) In the case of any guaranty agreement entered into prior to October 31, 1968, with a State or nonprofit private institution or organization with which the Commissioner has in effect on that date an agreement pursuant to subsection (b) of this section, or section 9(b) of the National Vocational Student Loan Insurance Act of 1965, made prior to the date of enactment of this subsection, the Commissioner may, in accordance with the terms of this subsection, undertake to guarantee loans described in paragraph (1) which are insured by such State, institution, or organization and are outstanding on the date of execution of the guaranty agreement, but only with respect to defaults occurring after the execution of such guaranty agreement or, if later, after its effective date."

79 Stat. 1245.
20 USC 1081.
20 USC 1078.

(c) Section 431 of such Act is amended (A) by inserting in the first sentence of subsection (a) ", or in connection with payments under a guaranty agreement under section 428(c)," after "insured by him under this part"; (B) by inserting in the third sentence of subsection (a) ", or in connection with such guaranty agreements" after "insured by the Commissioner under this part"; and (C) by inserting in the first sentence of subsection (b) ", or in connection with any guaranty agreement made under section 428(c)" after "insured by the Commissioner under this part".

20 USC 1082.

(d) Section 432(a)(5) of such Act is amended by inserting "or any guaranty agreement under section 428(c)" after "such insurance".

25. DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION ACT, 1969: PROVISIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–463, approved August 8, 1968)

A. Legislative History

Hearings on Department of Agriculture and Related Agencies Appropriations for 1969 were held before a subcommittee of the House Committee on Appropriations at intervals from March 4 to April 2, 1968. The record of the hearings was printed in 4 parts totaling 2,221 pages. Hearings on these appropriations were held before the Senate Committee on Appropriations intermittently from February 28, 1968 to April 26, 1968. The record of the hearings was printed in 2 parts totaling 3,207 pages.

H.R. 16913, making appropriations for the Department of Agriculture and Related Agencies for fiscal 1969, was reported in the House, from the Committee on Appropriations, by Representative Jamie L. Whitten, of Mississippi, on April 30, 1968 (H. Rept. 1335). The bill passed the House on May 1, 1968. It was reported in the Senate, from the Committee on Appropriations, on May 24, 1968 (S. Rept. 1138). It passed the Senate, amended, on May 29, 1968, and the Senate asked for a conference on that date. The House agreed to a conference on June 24, 1968. The conference report was filed on July 25, 1968 (H. Rept. 1794). The House and Senate both agreed to the conference report on July 26, 1968. The act was approved by the President on August 8, 1968 and became Public Law 90–463.

B. Digest of Provisions Affecting Education and Training

Some funds made available to the Department of Agriculture for educational and training purposes are included in appropriations for larger purposes and are not separately distinguishable in this act. Research and demonstrations are major functions of the Department. Appropriations made by Public Law 90–350 particularly affecting education and training include: cooperative extension work $81,532,500; school lunch program $178,474,000; Office of Information, $1,997,000; and National Agricultural Library $3,292,750.

C. Text of Certain Provisions of the Law

Following is the text of certain provisions of Public Law 90–463 concerning or affecting education and training.

AN ACT Making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes. **82 Stat. 639.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of

Department of Agriculture and Related Agencies Appropriation Act, 1969.

Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes; namely:

* * * * *

EXTENSION SERVICE

COOPERATIVE EXTENSION WORK, PAYMENTS AND EXPENSES

Payments to States and Puerto Rico: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, and the Act of October 5, 1962 (7 U.S.C. 341–349), to be distributed under sections 3(b) and 3(c) of the Act, $80,082,500; and payments and contracts for such work under section 204(b)–205 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623–1624), $1,450,000; in all, $81,532,500: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, shall not be paid to any State or Puerto Rico prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

67 Stat. 83;
69 Stat. 683;
76 Stat. 745.

60 Stat. 1089.

67 Stat. 84;
76 Stat. 745.
7 USC 343.

Retirement and Employees' Compensation costs for extension agents: For cost of employer's share of Federal retirement and for reimbursement for benefits paid from the Employees' Compensation Fund for cooperative extension employees, $9,318,500.

Penalty mail: For costs of penalty mail for cooperative extension agents and State extension directors, $3,299,000.

Federal Extension Service: For administration of the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, and the Act of October 5, 1962 (7 U.S.C. 341–349), and extension aspects of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $2,838,000.

SCHOOL LUNCH PROGRAM

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751–1760) and the applicable provisions of the Child Nutrition Act of 1966 (42 U.S.C. 1773–1785), $178,474,000, including $10,000,000 for special assistance to needy schools, $3,500,000 for the pilot school breakfast program, $750,000 for the nonfood assistance program: *Provided*, That no part of this appropriation shall be used for nonfood assistance under section 5 of the National School Lunch Act, as amended: *Provided further*, That $64,325,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

60 Stat. 230;
76 Stat. 944.
80 Stat. 886.

60 Stat. 231.
42 USC 1754.

49 Stat. 774.

42 USC 1755.

* * * * *

Office of Information

SALARIES AND EXPENSES

For necessary expenses of the Office of Information for the dissemination of agricultural information and the coordination of informational work and programs authorized by Congress in the Department, $1,997,000, of which total appropriation not to exceed $587,000 may be used for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, and equal proportion of four-fifths of shall be adapted to the interests of the people of the different which shall be available to be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct (7 U.S.C. 417), **34 Stat. 690.** and not less than two hundred and thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by sections 73 of the Act of January 12, 1895 (44 U.S.C. 241): **28 Stat. 612.** *Provided*, That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109. **58 Stat. 742. 80 Stat. 416.**

National Agricultural Library

SALARIES AND EXPENSES

For necessary expenses of the National Agricultural Library, $3,292,750: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $35,000 shall be available for employment under 5 U.S.C. 3109.

26. DEPARTMENT OF TRANSPORTATION APPROPRIATION ACT, 1969: APPROPRIATIONS FOR EDUCATION AND TRAINING

(Public Law 90–464, approved August 8, 1968)

A. Legislative History

Hearings on Department of Transportation appropriations for 1969 were held before a subcommittee of the House Committee on Appropriations at intervals from April 2 to May 23, 1968. The record of the hearings was printed in a volume of 1,273 pages. Hearings on these appropriations were held before a subcommittee of the Senate Committee on Appropriations intermittently from May 29 to July 15, 1968. The record of these hearings was printed in two volumes totaling 524 pages.

H.R. 18188, making appropriations for the Department of Transportation for fiscal 1969, was reported in the House, from the Committee on Appropriations, on June 27, 1968, by Representative Edward P. Boland, of Massachusetts (H. Rept. 1596). The bill passed the House on July 3, 1968. It was reported in the Senate, from the Committee on Appropriations, on July 17, 1968 (S. Rept. 1415). It passed the Senate, amended, and the Senate asked for a conference, on July 23, 1968. The House agreed to a conference on July 24, 1968. The conference report was filed on July 31, 1968 (H. Rept. 1833). The House and Senate both agreed to the conference report on August 1, 1968. The act was approved by the President on August 8, 1968, and became Public Law 90-464.

B. Digest of Provisions Concerning Education and Training

The Department of Transportation administers some programs involving education or training for which appropriations are not separately identified in this act. However, the act appropriates $25,000,000 specifically for Coast Guard Reserve training. The act also stipulates that payments for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States may be made from the appropriation of $362,000,000 for operating expenses of the Coast Guard.

C. Text of Provisions Concerning Education and Training

Following is the text of certain provisions of Public Law 90-464 concerning education and training.

82 Stat. 654.

AN ACT Making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes

Department of Transportation Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes, namely:

* * * * *

COAST GUARD

Operating Expenses

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for, including hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; purchase of not to exceed sixteen passenger motor vehicles for replacement only; maintenance, operation, and repair of aircraft; recreation and welfare; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); $362,000,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and ninety exclu-

80 Stat. 416.

sive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years, shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred such prior year appropriations and against this appropriation: *Provided further*, That, except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), this appropriation shall be available for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States as costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and the Coast Guard may provide for the transportation of said dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation.

76 Stat. 461.

82 Stat. 655.

School expenses for dependents.
64 Stat. 1100.

* * * * *

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law, including repayment to other Coast Guard appropriations for indirect expenses, for regular personnel, or reserve personnel while on active duty, engaged primarily in administration and operation of the reserve program; maintenance and operation of facilities; supplies, equipment, and services; and the maintenance, operation, and repair of aircraft; $25,000,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation.

27. DEPARTMENTS OF STATE, JUSTICE AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION ACT, 1968: PROVISIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–470, approved August 9, 1968)

A. Legislative History

Hearings on the Departments of State, Justice and Commerce, the Judiciary and related agencies appropriations for fiscal 1969 were held before a subcommittee of the House Committee on Appropriations at intervals from February 14 to April 23, 1968. The record of the hearings was printed in 4 parts totaling 4,444 pages. Hearings on these appropriations were held before a subcommittee of the Senate Appropriations Committee intermittently from June 4 to July 8, 1968. The record of these hearings was printed in a volume of 935 pages.

H.R. 17522, making appropriations for the Departments of State Justice and Commerce, the Judiciary, and related agencies for the fiscal year 1969 was reported from the House Committee on Appropriations by Representative John J. Rooney, of New York, on May 24, 1968 (H. Rept. 1468). The bill passed the House on May 28, 1968. It was reported in the Senate, from the Committee on Appropriations, on July 25, 1968 (S. Rept. 1459). It passed the Senate, amended, and the Senate asked for a conference on July 29, 1968. The House agreed to a conference on July 30, 1968. The conference report was filed on July 31, 1968 (H. Rept. 1830). The House and Senate both agreed to the conference report on August 1, 1968. The act was approved by the President on August 9, 1968 and became Public Law 90–470.

B. Summary of Some Appropriations Affecting Education and Training

Funds made available to the Departments of State, Justice and Commerce which may be used for educational and training purposes generally are not separately identifiable in Public Law 90–470. Following are some of the appropriations made by this act which clearly from this act may be used at least in part for educational or training purposes.

Department of State:	
Mutual educational and cultural exchange activities	$31,000,000
Center for cultural and technical interchange between East and West	5,260,000
Department of Commerce:	
International activities, salaries and expenses	9,750,000
Maritime training	5,177,000
State marine schools	1,900,000
Related agencies: Department of Health, Education, and Welfare, Office of Education, civil rights, educational activities	10,750,000
U.S. Information Agency:	
Salaries and expenses	159,990,000
Special international exhibitions	3,500,000
Federal Prison Industries, Inc., vocational training of prisoners, not to exceed	2,457,000

C. TEXT OF SOME APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Following is the text of appropriations made by Public Law 90–470 which clearly from this act may be used entirely or in part for educational or training purposes.

AN ACT Making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1969, and for other purposes

82 Stat. 655.

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1969.

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1969, and for other other purposes, namely:**

TITLE I—DEPARTMENT OF STATE

* * * * *

EDUCATIONAL EXCHANGE

MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES

For expenses, not otherwise provided for, necessary to enable the Secretary of State to carry out the functions of the Department of State under the provisions of the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2448), and the Act of August 9, 1939 (22 U.S.C. 501), including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); expenses of the National Commission on Education, Scientific, and Cultural Cooperation as authorized by sections 3, 5, and 6 of the Act of July 30, 1946 (22 U.S.C. 287o, 287q, 287r); hire of passenger motor vehicles; not to exceed $10,000 for representation expenses; not to exceed $1,000 for official entertainment within the United States; services as authorized by 5 U.S.C. 3109; and advance of funds notwithstanding section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); $31,000,000, of which not less than $8,500,000 shall be used for payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States: *Provided*, That not to exceed $2,200,000 may be used for administrative expenses during the current fiscal year.

75 Stat. 527.
53 Stat. 1290.
60 Stat. 999; 81 Stat. 671.

60 Stat. 713; 75 Stat. 341.

80 Stat. 416.

* * * * *

CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to any appropriate agency of the State of Hawaii, $5,260,000: *Provided*, That none of the funds appropriated herein shall be used

74 Stat. 141. 22 USC 2054 note.

to pay any salary, or to enter into any contract providing for the payment thereof, in excess of the highest rate authorized in the General Schedule of the Classification Act of 1949, as amended.

33 F.R. 8641.
5 USC 5332.

* * * * *

TITLE III—DEPARTMENT OF COMMERCE

* * * * *

INTERNATIONAL ACTIVITIES

SALARIES AND EXPENSES

For necessary expenses for the promotion of foreign commerce, including trade centers, mobile trade fairs, and trade and industrial exhibits, abroad, without regard to the provisions of law set forth in 41 U.S.C. 5 and 13; 44 U.S.C. 111, 322, and 324; purchase of commercial and trade reports; employment of aliens by contract for services abroad; rental of space abroad, for periods not exceeding five years, and expenses of alteration, repair, or improvement; advance of funds under contracts abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28 of the United States Code, when such claims arise in foreign countries; and not to exceed $3,000 for official representation expenses abroad; $15,000,000, of which $9,750,000 shall remain available for international trade promotions until June 30, 1970: *Provided*, that the provisions of the first sentence of section 105(f) and all of 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256) shall apply in carrying out the activities concerned with international trade promotions.

63 Stat. 405;
20 Stat. 216.

80 Stat. 306.

75 Stat. 532.
22 USC 2455, 2458.

* * * * *

MARITIME TRAINING

For training cadets as officers of the Merchant Marine at the Merchant Marine Academy at Kings Point, New York; not to exceed $2,500 for contingencies for the Superintendent, United States Merchant Academy, to be expended in his discretion; purchase of three passenger motor vehicles for replacement only; and uniform and textbook allowances for cadet midshipmen, at an average yearly cost of not to exceed $475 per cadet; $5,177,000: *Provided*, That, except as herein provided for uniform and textbook allowances, this appropriation shall not be used for compensation or allowances for cadets: *Provided further*, That reimbursement may be made to this appropriation for expenses in support of activities financed from the appropriations for "Research and development" and "Ship construction".

STATE MARINE SCHOOLS

For financial assistance to State marine schools and the students thereof as authorized by the Maritime Academy Act of

1958 (72 Stat. 622–624), $1,900,000, of which $625,000 is for maintenance and repair of vessels loaned by the United States for use in connection with such State marine schools, and $1,275,000, to remain available until expended, is for liquidation of obligations incurred under authority granted by said Act, to enter into contracts to make payments for expenses incurred in the maintenance and support of marine schools, and to pay allowances for uniforms, textbooks, and subsistence of cadets at State marine schools.

46 USC 1381 note.

* * * * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

CIVIL RIGHTS EDUCATIONAL ACTIVITIES

For carrying out the provisions of title IV of the Civil Rights Act of 1964 relating to functions of the Commissioner of Education, including not to exceed $1,500,000 for salaries and expenses, including services as authorized by 5 U.S.C. 3109, $10,750,000.

78 Stat. 246.
42 USC 2000c–2000c–9.
80 Stat. 416.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For expenses necessary to enable the United States Information Agency, as authorized by Reorganization Plan No. 8 of 1953, the Mutual Educational and Cultural Exchange Act (75 Stat. 527), and the United States Information and Educational Exchange Act, as amended (22 U.S.C. 1431 et seq.), to carry out international information activities, including employment, without regard to the civil service and classification laws, of (1) persons on a temporary basis (not to exceed $20,000), (2) aliens within the United States, and (3) aliens abroad for service in the United States relating to the translation or narration of colloquial speech in foreign languages (such aliens to be investigated for such employment in accordance with procedures established by the Director of the Agency and the Attorney General); travel expenses of aliens employed abroad for service in the United States and their dependents to and from the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); entertainment within the United States not to exceed $500; hire of passenger motor vehicles; insurance on official motor vehicles in foreign countries; services as authorized by 5 U.S.C. 3109; payment of tort claims, in the manner authorized in the first paragraph of section 2672, as amended, of title 28 of the United States Code when such claims arise in foreign countries; advance of funds notwithstanding section 3648 of the Revised Statutes, as amended; dues for library membership in organizations which issue publications to members only, or to members at a price lower than to

67 Stat. 642.
22 USC 1461 note.
22 USC 2451 note.
62 Stat. 6.
60 Stat. 999; 81 Stat. 671.
80 Stat. 306.
31 USC 529.
82 Stat. 690.

others; employment of aliens, by contract, for service abroad; purchase of ice and drinking water abroad; payment of excise taxes on negotiable instruments abroad; purchase of uniforms for not to exceed fourteen guards; actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in activities authorized under this appropriation; radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration, script-writing, translation, and engineering services, by contract or otherwise; maintenance, improvement, and repair of properties used for information activities in foreign countries; fuel and utilities for Government-owned or leased property abroad; rental or lease for periods not exceeding five years of offices, buildings, grounds, and living quarters for officers and employees engaged in informational activities abroad; travel expenses for employees attending official international conferences, without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under 5 U.S.C. 5701–5708, but at rates not in excess of comparable allowances approved for such conferences by the Secretary of State; and purchase of objects for presentation to foreign governments, schools, or organizations; $159,990,000: *Provided*, That not to exceed $110,000 may be used for representation abroad: *Provided further*, That this appropriation shall be available for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, when any part of such travel or transportation begins in the current fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during the current year: *Provided further*, That passenger motor vehicles used abroad exclusively for the purposes of this appropriation may be exchanged or sold, pursuant to section 201(c) of the Act of June 30, 1949 (40 U.S.C. 481(c)), and the exchange allowances or proceeds of such sales shall be available for replacement of an equal number of such vehicles and the cost, including the exchange allowance of each such replacement, except buses and station wagons, shall not exceed $1,500: *Provided further*, That, notwithstanding the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the United States Information Agency is authorized, in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That existing appointments and assignments to the Foreign Service Reserve for the purposes

80 Stat. 498.

63 Stat. 384.

of foreign information and educational activities which expire during the current fiscal year may be extended for a period of one year in addition to the period of appointment or assignment otherwise authorized.

SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the United States Information Agency, as authorized by law, $9,250,000, to remain available until expended. 82 Stat. 691.

SPECIAL INTERNATIONAL EXHIBITIONS

For expenses necessary to carry out the functions of the United States Information Agency under section 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 527), $3,500,000, to remain available until expended: *Provided*, That not to exceed a total of $7,200 may be expended for representation. 76 Stat. 263. 22 USC 2452.

SPECIAL INTERNATIONAL EXHIBITIONS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the United States Information Agency in connection with special international exhibitions under the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 527), $428,000, to remain available until expended: *Provided*, That not to exceed $1,250 may be expended for representation. 22 USC 2451 note.

TITLE VI—FEDERAL PRISON INDUSTRIES, INCORPORATED

The following corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such corporation, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of not to exceed five (for replacement only) and hire of passenger motor vehicles, except as herein provided: 61 Stat. 584. 31 USC 849.

LIMITATION ON ADMINISTRATION AND VOCATIONAL TRAINING EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $780,000 of the funds of the corporation shall be available for its administrative expenses, and not to exceed $2,457,000 for the expenses of vocational training of prisoners,

80 Stat. 416.

both amounts to be available for services as authorized by 5 U.S.C. 3109, and to be computed on an accrual basis and to be determined in accordance with the corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

28. DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1969: APPROPRIATION FOR EDUCATION

(Public Law 90–473, approved August 10, 1968)

A. Legislative History

Hearings on District of Columbia appropriations for fiscal 1969 were held before a subcommittee of the House Appropriations Committee intermittently from April 1 to May 28, 1968. The record of the hearings was printed in 2 parts totaling 2,040 pages. Hearings on these appropriations were held before a subcommittee of the Senate Appropriations Committee at intervals from May 27 to April 3, 1968. The record of the hearings was printed in a volume of 1,701 pages.

On July 18, 1968, H.R. 18706, making appropriations for the government of the District of Columbia, was reported in the House of Representatives, from the Committee on Appropriations, by Representative William H. Natcher, of Kentucky (H. Rept. 1729). The bill passed the House on July 26, 1968. It was reported in the Senate, from the Committee on Appropriations, on July 30, 1968 (S. Rept. 1487). It passed the Senate, amended, and the Senate asked for a conference, on July 30, 1968. The House agreed to a conference, and the conference report was filed, on August 1, 1968 (H. Rept. 1841). The House and Senate both agreed to the conference report on August 2, 1968. The act was approved by the President on August 10, 1968, and became Public Law 90–473.

B. Digest of Appropriation for Education

Specifically for education in the District of Columbia for fiscal 1969, Public Law 90–473 appropriates $108,676,000, including $125,100 made payable from the highway fund.

C. Text of Appropriation for Education

Following is the text of that portion of Public Law 90–473 specifically relating to education.

AN ACT making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1969, and for other purposes.

***Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending June 30, 1969, and for other purposes, namely:**

District of Columbia Appropriation Act, 1969.

EDUCATION

Education, including purchase of twenty-four passenger motor vehicles of which twelve shall be for replacement only, provision of insurance, maintenance, and acceptance of not to exceed thirty passenger motor vehicles on a loan basis for exclusive use in the driver education program, the development of national defense education programs, and matching of Federal grants under the National Defense Education Act of September 2, 1958 (72 Stat. 1580), as amended, $108,676,000, of which $125,100 shall be payable from the highway fund: *Provided*, That the certificates of the Superintendent of Schools, the President of the Federal City College, and the President of the Washington Technical Institute, shall each be sufficient voucher for the expenditure of $1,000 of this appropriation for such purposes as they may respectively deem necessary.

20 USC 401 note.

Section 5533(c) of title 5, United States Code, shall not apply to compensation received by teachers of the public schools of the District of Columbia for employment in a civilian office during the period July 1, 1968, to August 31, 1968.

81 Stat. 637.

29. ESTABLISHMENT OF A NATIONAL EYE INSTITUTE

(Authorized To Provide Training and Instruction and Maintain Traineeships and Fellowships)

(Public Law 90–489, approved August 16, 1968)

A. LEGISLATIVE HISTORY

H.R. 12843 was introduced by Representative Harley O. Staggers, of West Virginia, on September 12, 1967. The bill was referred to the Committee on Interstate and Foreign Commerce. Hearings on H.R. 12843 and similar bills were held before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce on October 31 and November 1, 1967. The record of the hearings was printed in a volume of 173 pages.

H.R. 12843 was reported in the House on July 3, 1968 (H. Rept. 1644). It passed the House on August 1, 1968. It passed the Senate on August 2, 1968. The act was approved by the President on August 16, 1968 and became Public Law 90–489.

B. Digest of the Act

The act authorizes the establishment of a National Eye Institute to conduct and support research for new treatments and cures and training relating to blindness and other visual disorders. Directs the Institute to conduct research and training in special health problems and requirements of the blind and in the basic and clinical sciences relating to the mechanism of the visual function and preservation of sight. Authorizes the establishment of an advisory council to aid in carrying out the provisions of this Act.

Authorizes the Secretary of Health, Education, and Welfare to provide training and instruction and establish and maintain fellowships and traineeships in the Eye Institute and elsewhere in matters relating to diagnosis, prevention and treatment of blinding eye diseases and disorders.

C. Text of the Law

Following is the text of Public Law 90–489.

AN ACT

To amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health

National Eye Institute.
Establishment.
58 Stat. 707;
76 Stat. 1072.
42 USC 281–289b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C., ch. 6A, subch. III) is amended by adding at the end thereof the following new part:

"Part F—National Eye Institute

"ESTABLISHMENT OF NATIONAL EYE INSTITUTE

"Sec. 451. The Secretary is authorized to establish in the Public Health Service an institute for the conduct and support of research for new treatment and cures and training relating to blinding eye diseases and visual disorders, including research and training in the special health problems and requirements of the blind and in the basic and clinical sciences relating to the mechanism of the visual function and preservation of sight. The Secretary is also authorized to plan for research and training especially against the main causes of blindness and loss of visual function.

82 Stat. 771.
82 Stat. 772.

"ESTABLISHMENT OF ADVISORY COUNCIL

"Sec. 452. (a) The Secretary is authorized to establish an advisory council to advise, consult with, and make recommendations to him on matters relating to the activities of the National Eye Institute.

64 Stat. 444.
42 USC 289b.

"(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to the council established under this section, except that the Secretary may include on such council established under this section such additional ex officio members as he deems necessary.

"(c) Upon appointment of such council, it shall assume all or such part as the Secretary may specify of the duties, functions, and powers of the National Advisory Health Council relating to the research or training projects with which such council established under this part is concerned and such portion as the Secretary may specify of the duties, functions, and powers of any other advisory council established under this Act relating to such projects.

"FUNCTIONS

Research.
42 USC 241.

"SEC. 453. The Secretary shall, through the National Eye Institute established under this part, carry out the purposes of section 301 with respect to the conduct and support of research with respect to blinding eye diseases and visual disorders associated with general health and well-being, including the special health problems and requirements of the blind and the mechanism of sight and visual function, except that the Secretary shall determine the areas in which and the extent to which he will carry out such purposes of section 301 through such Institute or an institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter. The Secretary is also authorized to provide training and instruction and establish and maintain traineeships and fellowships, in the National Eye Institute and elsewhere in matters relating to diagnosis, prevention, and treatment of blinding eye diseases and visual disorders with such stipends and allowances (including travel and subsistence expenses) for trainees and fellows as he deems necessary, and, in addition, provide for such training, instruction, and traineeships and for such fellowships through grants to public or other nonprofit institutions."

Training and instruction.
Fellowships, grants, etc.
82 Stat. 772.

The name of the institute for neurological diseases and blindness is hereby changed to "the Institute for Neurological Diseases."

"Institute for Neurological Diseases."
64 Stat. 444.
42 USC 289a.

30. ESTABLISHMENT OF A FOREIGN SERVICE INFORMATION OFFICER CORPS

(FOR THE TRAINING AND CAREER SERVICE OF FOREIGN SERVICE INFORMATION OFFICERS)

(Public Law 90–494, approved August 20, 1968)

A. LEGISLATIVE HISTORY

S. 633 was introduced by Senator Claiborne Pell, of Rhode Island, on January 24, 1967. The bill was referred to the Committee on Foreign Relations. It was reported in the Senate on November 1, 1967 (S. Rept. 715). It passed the Senate on November 13, 1967, and was referred to the House Committee on Foreign Affairs on November 14, 1967. It was reported in the House on July 3, 1968 (H. Rept. 1632). It passed the House, amended, on August 2, 1968. The Senate agreed to the House amendment on August 2, 1968. The act was approved by the President on August 20, 1968 and became Public Law 90–494.

B. Digest of the Act

The Act: Provides for the establishment of a Foreign Service Information Officer Corps for the training and career service of the U.S. Information Agency's top Foreign Service Officers. Provides that the new personnel system be closely related to the Foreign Service Act of 1946. Provides that the principle of veterans' preference be applied during the recruiting stage of this new career service.

C. Text of the Law

Following is the text of Public Law 90-494.

AN ACT

To promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps

Foreign Service Information Officer Corps. Establishment.

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established a category of officers of the United States Information Agency (hereinafter referred to as "the Agency") to be known as Foreign Service information officers.**

STATEMENT OF POLICY

Sec. 2. It is the sense of the Congress that the establishment of a permanent career service for officers of the Agency who serve our country throughout the world in a vital function of the foreign relations of the United States is essential to enable the Director of the United States Information Agency (hereinafter referred to as "the Director") to carry out effectively such functions and responsibilities assigned to the Agency.

STATEMENT OF PURPOSES

Sec. 3. The Congress of the United States hereby declares that the purposes of this Act are—

(a) to provide a statutory basis necessary for a worldwide career officer personnel system designed to meet the continuing needs of both the Agency and those qualified citizens who shall serve as Foreign Service information officers in this vital activity;

(b) to give the Director the full range of personnel authority necessary to establish and administer the Foreign Service Information Officer Corps;

(c) to regularize the personnel system of the Agency by establishing a career service in which qualified Foreign Service information officers may be recruited, trained, and serve;

(d) to assure maximum efficiency and flexibility in the utilization of the talents of Foreign Service information officers; and

(e) to accord Foreign Service information officers the same rights and perquisites and to subject them to the same stringent judgment of performance as Foreign Service officers employed under the provisions of the Foreign Service Act of 1946, as amended.

82 Stat. 810.
82 Stat. 811.

60 Stat. 999.
22 USC 801 note.

AUTHORITY OF THE DIRECTOR

Sec. 4. Foreign Service information officers shall be under the direction and authority of the Director of the Agency. Authority available to the Secretary of State with respect to Foreign Service officers shall be available on the same basis to the Director of the Agency with respect to Foreign Service information officers, except as provided in section 11 of this Act.

POLICIES AND REGULATIONS

Personnel systems.

Sec. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law.

APPOINTMENT AND ASSIGNMENT

Sec. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career ambassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b), 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

60 Stat. 1003.
22 USC 867–968.
Career Ministers for Information.
Names of qualified officers.

(b) The President shall, by and with the advice and consent of the Senate, appoint Career Ministers for Information.

(c) The Secretary of State may, upon request of the Director, furnish the President with the names of Foreign Service information officers qualified for appointment to the class of Career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of Career Minister for Information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

Position lists, publication.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, for the class of Career Minister.

PROMOTION

78 Stat. 411; 81 Stat. 632. 22 USC 867.

SEC. 7. Foreign Service information officers shall be promoted in accordance with the provisions of sections 621 through 623, and 626 of the Foreign Service Act of 1946, as amended, and shall receive within-class salary increases in accordance with section 625 of such Act.

74 Stat. 834. 22 USC 991–996. 82 Stat. 811. 82 Stat. 812.

SEPARATION AND RETIREMENT

22 USC 1001–1007.

SEC. 8. Foreign Service information officers shall be separated and retired in accordance with sections 631 through 637 of the Foreign Service Act of 1946, as amended.

PARTICIPATION IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

22 USC 1061–1121.

SEC. 9. (a) Foreign Service information officers shall be participants in and entitled to the benefits of the Foreign Service retirement and disability system under title VIII of the Foreign Service Act of 1946, as amended, on the same basis as Foreign Service officers. Any such Foreign Service information officer who becomes a participant in such system shall make contributions to the Foreign Service retirement and disability fund on the same basis as Foreign Service officers.

74 Stat. 844.

(b) In accordance with such regulations as the President may prescribe, any Foreign Service Staff officer or employee appointed by the Agency who has completed at least ten years of continuous service, exclusive of military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

22 USC 1092. Mandatory retirement.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the third year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one, and thereafter at age sixty.

Voluntary retirement.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

74 Stat. 839. 840; 79 Stat. 1131. 22 USC 1076. Effective dates.

(e) The provisions of paragraph (b) of this section becomes effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service Staff officer or employee, who at the time this Act become effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service Staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

OTHER APPLICABLE PROVISIONS OF LAW

SEC. 10. All other provisions of the Foreign Service Act of 1946, as amended, or of any other law, which apply to Foreign Service officers and are not referred to above, shall be applicable to Foreign Service information officers.

60 Stat. 999.
22 USC 801 note.
82 Stat. 812.

COMMISSIONING AND ASSIGNMENT AS DIPLOMATIC AND CONSULAR OFFICERS

82 Stat. 813.

SEC. 11. (a) The Secretary of State may, upon request of the Director, recommend to the President that Foreign Service information officers be commissioned as diplomatic or consular officers, or both, in accordance with section 512 of the Foreign Service Act of 1946, as amended.

(b) The Secretary of State may, upon request of the Director, assign Foreign Service information officers, commissioned as diplomatic or consular officers, to serve under such commissions in accordance with sections 512 and 514 of the Foreign Service Act of 1946, as amended.

60 Stat. 1007.

INTERPRETATION AND CONSTRUCTION

22 USC 907, 909.

SEC. 12. For the purposes of this Act the term "Foreign Service officer" when used in the Foreign Service Act of 1946, as amended, or in any other provision of law shall be construed to mean "Foreign Service information officer" and the term "Secretary of State" when used with respect to authorities applicable to Foreign Service officers shall be construed to mean the Director of the United States Information Agency with respect to Foreign Service information officers.

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

SEC. 13. Agency Foreign Service officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the class in which they are serving on such date to the comparable salaries and classes of Foreign Service information officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, (2) liability for separation, in accordance with the provisions of section 633, (3) continuation of probationary status pursuant to section 635, and (4) credit for time served toward in-class promotion in accordance with section 625.

60 Stat. 1014.
22 USC 992.
69 Stat. 25.
22 USC 1003.
22 USC 1005.
74 Stat. 834.

VETERANS' PREFERENCE

SEC. 14. Notwithstanding the provisions of section 3320 of title 5 of the United States Code, the fact that any applicant is a veteran or disabled veteran, as defined in section 2108 (1) or (2) of such title, shall be taken into consideration as an affirmative factor in the selection of applicants for initial appointment as Foreign Service officers or Foreign Service information officers.

80 Stat. 422.
80 Stat. 410;
81 Stat. 196.

TENURE OF FOREIGN SERVICE RESERVE OFFICERS

SEC. 15. (a) Any officer appointed as a Foreign Service Reserve officer after the date of enactment of this Act may serve as such for not more than five years. During such period (no sooner than the expiration of the third year but no later than the expiration of the fifth year) such Foreign Reserve officer shall be appointed as a Foreign Service officer, Foreign Service Information Officer, Foreign Service Reserve officer with unlimited tenure, Foreign Service Staff officer, or shall be terminated as a Foreign Service Reserve officer.

82 Stat. 813.
82 Stat. 814.
60 Stat. 1009.
22 USC 922, 927.

(b) Notwithstanding the provisions of sections 522 and 527 of the Foreign Service Act of 1946, as amended, an appointment of any Foreign Service Reserve officer existing on the date of enactment of this Act may be extended, but not beyond the expiration of the five-year period beginning on such date of enactment.

RETIREMENT AND SEPARATION OF FOREIGN SERVICE RESERVE OFFICERS

SEC. 16. (a) In accordance with such regulations as the President may prescribe, any Foreign Service Reserve officer with unlimited tenure shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended. Beginning on the date of enactment of this Act, any Reserve officer referred to in the preceding sentence shall be mandatorily retired for age in accordance with the provisions of subsections (c) and (d) of section 9 of this Act.

74 Stat. 844, 845.
22 USC 1092.

69 Stat. 25.
22 USC 1003, 1004.

(b) The provisions of sections 633 and 634 of the Foreign Service Act of 1946, as amended, shall apply to Foreign Service Reserve officers with unlimited tenure.

82 Stat. 814.

PRESENT FOREIGN SERVICE RESERVE OFFICERS

SEC. 17. Any Foreign Service Reserve officer appointed before the date of enactment of this Act who has completed at least three years of continuous and satisfactory service as such on such date of enactment, or who will have completed at least three years of such service before the expiration of the three-year period beginning on such date of enactment, may be appointed as a Foreign Service Reserve officer with unlimited tenure.

LIMITATION ON EXTENSION OF FOREIGN SERVICE RESERVE OFFICER APPOINTMENTS

SEC. 18. Paragraph (3) of section 522 of the Foreign Service Act of 1946, as amended, is amended by inserting immediately before the period at the end thereof the following: "; except that the authority contained in this paragraph relating to extending the appointment of any Reserve officer, and to continuing the services of any such Reserve officer by appointment, shall not be applicable to the Department of State and the United States Information Agency".

73 Stat. 257.
22 USC 922.

EXCLUSION OF CERTAIN AGENCIES

SEC. 19. The provisions of sections 15, 16, and 17 of this Act shall not apply to officers and employees of the Agency for International Development, the Peace Corps, and the Arms Control and Disarmament Agency.

31. PROVISION FOR A WHITE HOUSE CONFERENCE ON AGING

(To Make Recommendations and Plan Action for Specified Purposes Including Training and Research)

(Public Law 90–526, approved September 28, 1968)

A. LEGISLATIVE HISTORY

On October 18, 1967, Senator Harrison A. Williams, Jr., of New Jersey (for himself and 19 other Senators) introduced S. J. Res. 117, to provide for a White House Conference on Aging. The joint resolution was referred to the Committee on Labor and Public Welfare, Hearings on the joint resolution were held before the Special Subcommittee on Aging of the Committee on Labor and Public Welfare on March 5 and 6, 1968. The record of the hearings was printed in a volume of 315 pages. S. J. Res. 117 passed the Senate on May 6, 1968.

On June 27, 1968, Representative Dominick V. Daniels, of New Jersey (for himself and 24 other Members of the House) introduced a similar proposal, H. J. Res. 1371, to provide for a White House Conference on Aging. The joint resolution was referred to the Committee on Education and Labor. Hearings on the joint resolution were held before the Select Subcommittee on Education of the Committee on Education and Labor on June 18, 1968. The record of the hearings was printed in a volume of 34 pages.

On July 25, 1968, H.J. Res. 1371 was reported from the Committee on Education and Labor (H. Rept. 1792). On July 30, 1968 the joint resolution passed the House. On September 9, 1968 it passed the Senate, amended. On September 12, 1968 the House agreed to the Senate amendments. The joint resolution was approved by the President on September 28, 1968 and became Public Law 90–526.

B. Digest of the Joint Resolution

The joint resolution:

Provides that a White House Conference on Aging be called by the President of the United States.

Directs the Secretary of Health, Education, and Welfare to plan and conduct the Conference with the cooperation and assistance of other appropriate Federal departments and agencies.

Requires that the Conference bring together representatives of Federal, State, and local governments; professional and lay people working in programs and projects related to aging; and the general public, including older persons themselves.

Provides that a final report of the Conference be submitted to the President not later than 120 days following the date on which the Conference is called and the report shall be immediately made available to the public.

Provides that the Secretary of Health, Education, and Welfare shall, within 90 days after the submission of the final report, transmit to the President and the Congress recommendations for the administrative action and the legislation necessary to implement the recommendations in the report.

Authorizes and directs the Secretary to establish an advisory committee to the White House Conference on Aging of not more than 28 members.

Authorizes appropriations of $1,900,000 for administration expenses.

C. Text of the Law

Following is the text of Public Law 90-526.

JOINT RESOLUTION to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in 1971, to be planned and conducted by the Secretary of Health, Education, and Welfare, and for related purposes

Whereas the primary responsibility for meeting the challenge and problems of aging is that of the States and communities, all levels of government are involved and must necessarily share responsibility; and it is therefore the policy of the Congress that the Federal Government shall work jointly with the States and their citizens, to develop recommendations and plans for action, consistent with the objectives of this joint resolution, which will serve the purposes of—

(1) assuring middle-aged and older persons equal opportunity with others to engage in gainful employment they are capable of performing; and

(2) enabling retired persons to enjoy incomes sufficient for health and for participation in family and community life as self-respecting citizens; and

(3) providing housing suited to the needs of older persons and at prices they can afford to pay; and

(4) assisting middle-aged and older person to make the preparation, develop skills and interests, and find social

contacts which will make the gift of added years of life a period of reward and satisfaction; and

(5) stepping up research designed to relieve old age of its burdens of sickness, mental breakdown, and social ostracism; and

(6) evaluating progress made since the last White House Conference on Aging, and examining the changes which the next decade will bring in the character of the problems confronting older persons; and

Whereas is essential that in all programs developed for the aging, emphasis should be upon the right and obligation of older persons to free choice and self-help in planning their own futures: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President of the United States is authorized to call a White House Conference on Aging in 1971 in order to develop recommendations for further research and action in the field of aging, which will further the policies set forth in the preamble of this joint resolution, shall be planned and conducted under the direction of the Secretary who shall have the cooperation and assistance of such other Federal departments and agencies, including the assignment of personnel, as may be appropriate.

White House Conference on Aging, 1971, authorization. 82 Stat. 878. 82 Stat. 879.

(b) For the purpose of arriving at facts and recommendations concerning the utilization of skills, experience, and energies and the improvement of the conditions of our older people, the conference shall bring together representatives of Federal, State, and local governments, professional and lay people who are working in the field of aging, and of the general public, including older persons themselves.

82 Stat. 879.

(c) A final report of the White House Conference on Aging shall be submitted to the President not later than one hundred and twenty days following the date on which the Conference is called and the findings and recommendations included therein shall be immediately made available to the public. The Secretary of Health, Education, and Welfare shall, within ninety days after the submission of such final report, transmit to the President and the Congress his recommendations for the administrative action and the legislation necessary to implement the recommendations contained in such report.

Report to President.

Recommendations.

ADMINISTRATION

Sec. 2. In administering this joint resolution, the Secretary shall—

(a) request the cooperation and assistance of such other Federal departments and agencies as may be appropriate in carrying out the provisions of this joint resolution;

(b) render all reasonable assistance, including financial assistance, to the States in enabling them to organize and conduct conferences on aging prior to the White House Conference on Aging;

(c) prepare and make available background materials for the use of delegates to the White House Conference as he may deem necessary and shall prepare and distribute such report or reports of the Conference as may be indicated; and

(d) in carrying out the provisions of this joint resolution, engage such additional personnel as may be necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service, and without regard to chapter 57 and subchapter 111 of chapter 53 of such title relating to classification and General Schedule pay rates.

5 USC 3301 *et seq.*
5 USC 5701–5742.
5 USC 5331–5338.
33 F.R. 8641.

ADVISORY COMMITTEES

SEC. 3. The Secretary is authorized and directed to establish an Advisory Committee to the White House Conference on Aging composed of not more than twenty-eight professional and public members, a substantial number of whom shall be fifty-five years of age or older, and, as necessary, to establish technical advisory committees to advise and assist in planning and conducting the Conference. The Secretary shall designate one of the appointed members as Chairman. Members of any committee appointed pursuant to this section, who are not officers or employees of the United States, while attending conferences or meetings of their committee or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $75 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently. The Commissioner on Aging shall act as Executive Secretary of the Committee.

Compensation, travel expenses.

80 Stat. 499.
82 Stat. 880.

DEFINITIONS

SEC. 4. For the purposes of this joint resolution—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

Appropriation authorization.

SEC. 5. There is authorized to be appropriated to carry out this joint resolution the sum of $1,900,000.

32. DARTMOUTH COLLEGE 200TH ANNIVERSARY MEDALS

(Public Law 90–528, approved September 28, 1968)

A. LEGISLATIVE HISTORY

S. 3671, relating to Dartmouth College 200th Anniversary Medals, was introduced on June 21, 1968 by Senator Thomas J. McIntyre, of New Hampshire. The bill was referred to the Committee on Banking and Currency. It was reported in the Senate on July 2, 1968 (S. Rept. 1359). It passed the Senate on July 8, 1968 and was referred to the House Committee on Banking and Currency on July 9, 1968.

The bill was reported in the House on July 23, 1968 (H. Rept. 1784). It passed the House on September 16, 1968. It was approved on September 28, 1968 and became Public Law 90–528.

B. DIGEST OF THE ACT

The Act provides for the striking of medals in commemoration of the two hundredth anniversary of the founding of Dartmouth College.

C. TEXT OF THE LAW

Following is the text of Public Law 90–528.

82 Stat. 881.

AN ACT To provide for the striking of medals in commemoration of the two hundredth anniversary of the founding of Dartmouth College

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the two hundredth anniversary of the founding of Dartmouth College by the grant of a royal charter from King George III on December 13, 1769, the Secretary of the Treasury is authorized and directed to strike and furnish to Dartmouth College, Hanover, New Hampshire, not more than twenty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by Dartmouth College subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by Dartmouth College in quantities of not less than two thousand, but no medals shall be made after December 31, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Dartmouth College. 200th anniversary medals.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

Cost.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with Dartmouth College.

Sizes, materials.

33. HANDICAPPED CHILDREN'S EARLY EDUCATION ASSISTANCE ACT

(Public Law 90–538, approved September 30, 1968)

A. Legislative History

On July 16 and 17, 1968 the Select Subcommittee on Education of the Committee on Education and Labor held hearings on H.R. 17829, a bill to authorize preschool and early education programs for handicapped children. The record of the hearings was printed in a volume of 89 pages. No further action was taken on this bill.

H.R. 18763, the Handicapped Children's Early Education Assistance Act, was introduced on July 19, 1968 by Representative Dominick V. Daniels, of New Jersey, and others. The bill was referred to the Committee on Education and Labor. It was reported from that committee on July 25, 1968 (H. Rept. 1793). Under suspension of the rules, it passed the House on September 16, 1968. It passed the Senate on September 17, 1968. It was approved on September 30, 1968 and became Public Law 90–538.

B. Digest of the Act

The Act authorizes the Commissioner of Education to arrange by contract, grant or otherwise with public and private nonprofit agencies for the development and implementation of early education programs for handicapped children.

It provides that such programs shall be distributed to the greatest extent possible throughout the Nation, both in urban and in rural areas. It requires coordination of each such program with similar programs in the schools of the community to be served.

It stipulates that no arrangement pursuant to this act shall provide for the payment of more than 90 per centum of the cost of such a program. It allows non-Federal contributions. It requires the Commissioner to conduct a thorough and continuing evaluation of each program assisted under the act.

For the purposes of this act, it authorizes appropriations of $1 million for fiscal 1969, $10 million for fiscal 1970, and $12 million for fiscal 1971.

C. Text of the Law

Following is the text of Public Law 90–538.

AN ACT To authorize preschool and early education programs for handicapped children

Handicapped Children's Early Education Assistance Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Handicapped Children's Early Education Assistance Act".

PROGRAM AUTHORIZED

Sec. 2. (a) The Commissioner of Education (hereafter in this title referred to as the "Commissioner") is authorized to arrange by contract, grant, or otherwise with appropriate public agencies and private nonprofit organizations, for the development and carrying out by such agencies and organizations, for the development and carrying out by such agencies and organizations of experimental preschool and early education programs for handicapped children which the Commissioner determines show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Such programs shall be distributed to the greatest extent possible throughout the Nation, and shall be carried out both in urban and in rural areas. Such programs shall include activities and services designed to (1) facilitate the intellectual, emotional, physical, mental, social, and language development of such children; (2) encourage the participation of the parents of such children in the development and operation of any such program; and (3) acquaint the community to be served by any such program with the problems and potentialities of such children.

82 Stat. 901.
82 Stat. 902.

(b) Each arrangement for developing or carrying out a program authorized by this section shall provide for the effective coordination of each such program with similar programs in the schools of the community to be served by such a program.

Federal share.

(c) No arrangement pursuant to this Act shall provide for the payment of more than 90 per centum of the cost of developing, carrying out, or evaluating such a program. Non-Federal contributions may be in cash or in kind, fairly evaluated, including, but not limited to, plant, equipment, and services.

EVALUATION

SEC. 3. The Commissioner shall conduct either directly or by contract with independent organizations a thorough and continuing evaluation of the effectiveness of each program assisted under this Act.

DEFINITION OF HANDICAPPED CHILDREN

SEC. 4. As used in this Act, the term "handicapped children" means mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health-impaired children who by reason thereof require special education and related services.

APPROPRIATIONS AUTHORIZED

SEC. 5. There is authorized to be appropriated for the purpose of this Act $1,000,000 for the fiscal year ending June 30, 1969, $10,000,000 for the fiscal year ending June 30, 1970, and $12,000,00 for the fiscal year ending June 30, 1971.

34. ADMINISTRATIVE OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION ACT, 1969

(Public Law 90–550, approved October 4, 1968)

A. Legislative History

In February and March 1968 a subcommittee of the House Committee on Appropriations held hearings on Independent Offices and Department of Housing and Urban Development appropriations for 1969. The record of the hearings was printed in 3 parts totaling 3,508 pages. Hearings on these appropriations were held before a subcommittee of the Senate Committee on Appropriations in May and June, 1968. The record of these hearings was printed in 2 parts totaling 1,808 pages.

In the House on May 3, 1968, Mr. Joe L. Evins, of Tennessee, reported H.R. 17023, making appropriations to the Independent Offices and the Department of Housing and Urban Development for fiscal 1969 (H. Rept. 1348). The bill passed the House on May 8, 1968. It was reported in the Senate, from the Committee on Appropriations, on July 9, 1968 (S. Rept. 1375). It passed the Senate, amended, and the Senate asked for a conference, on July 18, 1968. On September 9, 1968 the House agreed to a conference. The conference report was filed on September 18, 1968 (H. Rept. 1904). The House agreed to the conference report on September 19, 1968. The Senate agreed to the conference report on September 25, 1968. The act was approved by the President on October 4, 1968 and became Public Law 90–550.

B. Summary of Appropriations Affecting Education and Training

Some funds made available to the Independent Offices and Department of Housing and Urban Development for educational and training purposes are included in appropriations for other functions and are not separately identified in this act. It includes, however, an appropriation of $3,370,300,000 to the National Aeronautics and Space Administration for research and development (involving institutions of higher education) and $612,000 for veterans readjustment (largely through training). The act also includes $400,000,000 for the National Science Foundation (one of the two agencies of the Federal Government whose primary concern is education). The act also contains the following specific appropriations: Department of Housing and Urban Development, city demonstration programs $625,000,000; community development training programs, $3,000,000; low-income housing demonstration programs $2,000,000; and housing loans to educational institutions $2,275,000.

C. Text of Provisions Affecting Education and Training

Following is the text of certain provisions of Public Law 90–550 affecting education and training.

AN ACT

Making appropriation for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes.

82 Stat. 937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes, namely:

Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

82 Stat. 945.

RESEARCH AND DEVELOPMENT

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, supplies, materials, equipment; maintenance, repair, and alteration of real and personal property; and purchase, hire, maintenance, and operations of other than administrative aircraft necessary for the conduct and support of aeronautical space research and development activities of the National Aeronautics and Space Administration, $3,370,300,000, to remain available until expended.

NATIONAL SCIENCE FOUNDATION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875) Title IX of the National Defense Education Act of 1958 (42 U.S.C. 1876–1879), the National Sea Grant Colleges and Program Act of 1966 (80 Stat. 998), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881), including award of graduate fellowships; services as authorized by 5 U.S.C. 3109; maintenance and operation of three aircraft and purchase of flight services for research support; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $400,000,000, to remain available until expended: *Provided*, That of the foregoing amount not less than $37,600,000 shall be available for tuition, grants, and allowances in connection with a program of supplementary training for secondary school sci-

64 Stat. 149.
72 Stat. 1601.
33 USC 1121. note.
72 Stat. 431.
80 Stat. 416.
82 Stat. 946.
80 Stat. 508;
81 Stat. 206.

ence and mathematics teachers: *Provided further*, That receipts for scientific support services and materials furnished by the National Research Centers may be credited to this appropriation: *And provided further*, That if an institution of higher education receiving funds hereunder determines after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has, after the date of enactment of this Act, willfully refused to obey a lawful regulation or order of such institution and that such refusal was of a serious nature and contributed to the disruption of the administration of such institution, then the institution shall deny any further payment to, or for the benefit of, such individual.

* * * * *

VETERANS ADMINISTRATION

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Readjustment Benefit

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 31 (except section 1504), and 33–39), $612,000,000, to remain available until expended.

72 Stat. 1167;
80 Stat. 12–28.
38 USC 801,
1501–1905.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

* * * * *

Demonstrations and Intergovernmental Relations

MODEL CITIES PROGRAM

For financial assistance and administrative expenses in connection with planning and carrying out comprehensive city demonstration programs, as authorized by title I of the Demonstration Cities and Metropolitan Development Act of 1966 (80 Stat. 1255–1261), including $312,500,000 for grants for urban renewal projects within approved city demonstration programs, to be transferred to and merged with the appropriation "Urban renewal programs" for the fiscal year 1969 in accordance with and subject to the provisions of section 113 of said Act, $625,000,000: *Provided* That the amount appropriated herein for other than urban renewal programs shall remain available until June 30 1970.

42 USC 3301–3313.

80 Stat. 1260.
42 USC 1453.

COMMUNITY DEVELOPMENT TRAINING PROGRAMS

For matching grants to States for training and related activities, and for expenses of providing technical assistance to State and local governmental or public bodies (including studies and publication of information), as authorized by title VIII of the Housing Act of 1964 (20 U.S.C. 801–805), $3,000,000.

78 Stat. 802.

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), $500,000.

SALARIES AND EXPENSES

For necessary administrative expenses of programs of demonstrations and intergovernmental relations, not otherwise provided for, $1,400,000, together with not to exceed $6,000,000 to be derived from the appropriation for "Model cities programs": *Provided*, That no part of this or any other appropriation in this Act may be used to provide metropolitan expediters, or for the administration or implementation of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754).

81 Stat. 167.

82 Stat. 952.

URBAN RESEARCH AND TECHNOLOGY

80 Stat. 1262.
42 USC 3334.

For necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by law (12 U.S.C. 1701d-3; 1701e; 1701f; 79 Stat. 668; 80 Stat. 1286-1287), $11,000,000: *Provided*, That not to exceed $500,000 of the foregoing amount shall be available for administrative expenses.

70 Stat. 1113;
63 Stat. 431.
42 USC 3531.
et seq., 3372,
3373.

LOW INCOME HOUSING DEMONSTRATION PROGRAMS

For low income housing demonstration programs pursuant to section 207 of the Housing Act of 1961, as amended (42 U.S.C. 1436), $2,000,000: *Provided*, That no part of any appropriation in this Act shall be available for administrative expenses in connection with contracts to make grants in excess of the amount herein appropriated.

75 Stat. 165;
79 Stat. 503.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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Limitation on Administrative Expenses, College Housing Loans

Not to exceed $2,275,000 shall be available for all administrative expenses of carrying out the program of housing loans to educational institutions (12 U.S.C. 1749-1749d).

64 Stat. 77;
77 Stat. 437.

35. FOREIGN ASSISTANCE ACT OF 1968: PROVISIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–554, approved October 8, 1968)

A. Legislative History

In the House, the "Foreign Assistance Act of 1968" was introduced, as H.R. 15263, on February 8, 1968 by Representative Thomas E. Morgan, of Pennsylvania. The bill was referred to the Committee on Foreign Affairs. In the Senate the "Foreign Assistance Act of 1968" was introduced, by request, as S. 3091, on March 5, 1968 by Senator J. William Fulbright, of Arkansas. This bill was referred to the Committee on Foreign Relations.

In the House, hearings on H.R. 15263 were held before the Committee on Foreign Affairs at intervals in February, March, April and May 1968. The record of the hearings was printed in 6 parts, totaling 1,242 pages. In the Senate, hearings on S. 3091 were held before the Committee on Foreign Relations at intervals in March and May 1968. The record of the hearings was printed in 2 parts, totaling 506 pages.

H.R. 15263 was reported in the House on June 26, 1968 (H. Rept. 1587). On June 18, 1968, it was recommitted with instructions, but was reported back and passed the House. It was reported in the Senate on July 26, 1968 (S. Rept. 1479). It passed the Senate, amended, on July 31, 1968, on which date the Senate asked for a conference. On August 1, 1968 the House agreed to a conference. The conference report was filed on September 10, 1968 (H. Rept. 1884). The House and Senate both agreed to the conference report on September 19, 1968. The act was approved by the President on October 8, 1968 and became Public Law 90–554.

B. Summary of Provisions Affecting Education and Training

Education and training are widely involved in foreign aid, but funds made available for educational and training purposes are not separately identified in Public Law 90–554. Following are some of the provisions of the act affecting education and training:

(1) Authorizes $350 million for fiscal 1969 for the development loan fund.

(2) Authorizes $200 million for fiscal 1969 for technical cooperation and development grants, including $14.6 million for American schools and hospitals abroad.

(3) Authorizes $420 million for fiscal 1969 for the Alliance for Progress.

(4) Authorizes $410 million for fiscal 1969 for supporting assistance.

(5) Authorizes $375 million for fiscal 1969 for military assistance.

C. Text of Certain Provisions of the Law Affecting Education and Training

Following is the text of certain provisions of Public Law 90–554 affecting education and training.

AN ACT To amend further the Foreign Assistance Act of 1961, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1968".

Foreign Assistance Act of 1968.

PART I

CHAPTER 2—DEVELOPMENT ASSISTANCE

TITLE I—DEVELOPMENT LOAN FUND

SEC. 101. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

(a) Section 201(d), which relates to rates of interest, is amended as follows:

78 Stat. 1009; 81 Stat. 447. 22 USC 2161.

(1) Strike out "1967" and substitute "1968".

(2) Strike out "2½ per centum" and substitute "3 per centum".

(b) Section 202(a), which relates to authorization, is amended as follows:

77 Stat. 381; 81 Stat. 447. 22 USC 2162.

(1) After "year 1967", strike out "and" and substitute a comma.

(2) After "year 1968," insert "and $350,000,000 for the fiscal year 1969".

(3) Strike out "years ending June 30, 1967, through June 30, 1968, respectively" and substitute "year ending June 30, 1969".

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 102. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

(a) Section 211(d), which relates to availability of funds for certain research and educational institutions, is amended by inserting "in any fiscal year" immediately after "funds made available".

80 Stat. 797. 22 USC 2171.

(b) Section 212, which relates to authorization, is amended by striking out "$210,000,000 for the fiscal year 1968" and substituting "$200,000,000 for the fiscal year 1969".

81 Stat. 449. 22 USC 2172.

(c) Section 214, which relates to American schools and hospitals abroad, is amended as follows:

81 Stat. 450. 22 USC 2174.

(1) In subsection (c) strike out "1968, $14,000,000" and substitute "1969, $14,600,000".

(2) In subsection (d) strike out "1968, $2,986,000" and substitute "1969, $5,100,000".

* * * * *

TITLE VI—ALLIANCE FOR PROGRESS

SEC. 105. (a) Section 252(a) of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to authorization for the Alliance for Progress, is amended as follows:

76 Stat. 258; 80 Stat. 799; 81 Stat. 451, 452. 22 USC 2212.

(1) Strike out "1967, $696,500,000, and for the fiscal year 1968 $578,000,000, which amounts are" and substitute "1969, $420,000,000, which is".

(2) Strike out "$100,000,000 in each such fiscal year of the funds appropriated pursuant to this section for use beginning in each such fiscal year" and substitute "$90,000,000".

(3) Strike out "years ending June 30, 1967, through June 30, 1968, respectively" and substitute "year ending June 30, 1969".

(b) Section 252(b), which relates to authorization for the Partners of the Alliance, is amended by striking out "1968, $714,000" and substituting "1969, $350,000".

TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

80 Stat. 800;
81 Stat. 452.
22 USC 2218.

SEC. 106. Section 281 of the Foreign Assistance Act of 1961, as amended, is amended as follows:

(a) At the end of subsection (c), add the following new sentence: "In particular, emphasis should be given to research designed to increase understanding of the ways in which development assistance can support democratic social and political trends in recipient countries."

(b) At the end of section 281, add the following new subsection:

Inservice training programs.

"(e) In order to carry out the purposes of this title, the agency primarily responsible for administering part I of this Act shall develop systematic programs of inservice training to familiarize its personnel with the objectives of this title and to increase their knowledge of the political and social aspects of development. In addition to other funds available for such purposes, not to exceed 1 per centum of the funds authorized to be appropriated for grant assistance under this chapter may be used for carrying out the objectives of this subsection."

* * * * *

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

80 Stat. 801;
81 Stat. 454.
22 USC 2222.

SEC. 108. (a) Section 302(a) of chapter 3 of part I of the Foreign Assistance Act of 1961, as amended, which relates to authorization for international organizations and programs, is amended by striking out "1968, $141,000,000" and substituting "1969, $135,000,000".

(b) Section 302 is further amended by adding at the end thereof the following new subsection:

United Nations Children's Fund. Appropriation.

"(d) There is authorized to be appropriated to the President, for the fiscal year 1969, $1,000,000 for contributions to the United Nations Children's Fund during the calendar year 1969. Funds made available under this subsection shall be in addition to funds available under this or any other Act for such contributions and shall not be taken into account in computing the aggregate amount of United States contributions to such fund for the calendar year 1969."

CHAPTER 4—SUPPORTING ASSISTANCE

22 USC 2242.

SEC. 109. Section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to authorization for supporting assistance, is amended by striking out "1968 not to exceed $660,000,000" and substituting "1969 not to exceed $410,000,000".

* * * * *

PART II

CHAPTER 2—MILITARY ASSISTANCE

SEC. 201. Chapter 2 of part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance, is amended as follows:

80 Stat. 802; 81 Stat. 455. 22 USC 2312.

(a) Section 504(a), which relates to authorization, is amended as follows:

(1) In the first sentence, strike out "$510,000,000" and "1968" and substitute "$375,000,000" and "1969", respectively.

(2) Strike out the second and third sentences.

(3) In the first sentence, insert the following proviso before the period: ": *Provided further*, That none of the funds appropriated pursuant to this subsection shall be used to furnish sophisticated weapons systems, such as missile systems and jet aircraft for military purposes, to any underdeveloped country, unless the President determines that the furnishing of such weapons systems is important to the national security of the United States and reports within thirty days each such determination to the Congress."

Presidential determination; report to Congress.

81 Stat. 457. 22 USC 2318.

(b) Section 506(a), which relates to special authority, is amended by striking out "1968" each place it appears and substituting "1969".

* * * * *

82 Stat. 963.

75 Stat. 438; 81 Stat. 457. 22 USC 2319.

(c)(1) Section 507(a), which relates to restrictions on military aid to Latin America, is amended by striking out "$55,000,000, of which $25,000,000" and substituting "$25,000,000, of which any part".

(2) Such section 507 is further amended by adding at the end thereof the following new subsection:

American Republic, assistance. Appropriation.

"(d) Notwithstanding the foregoing provisions of this section, not to exceed $10,000,000 of the funds made available for use under this part may be used to furnish assistance to the American Republics, directly or through regional defense arrangements, to enable such Republics to strengthen patrol activities in their coastal waters for the purpose of preventing landings on their shores, by Communist or other subversive elements originating in Cuba, which threaten the security of such Republics and of their duly constituted governments."

77 Stat. 384.
81 Stat. 457.
22 USC 2320.

(d) Section 508, which relates to restrictions on military aid to Africa, is amended as follows:

(1) In the first sentence, strike out "or sales".

(2) In the second sentence, strike out "and sales" and strike out "$40,000,000" and substitute "$25,000,000".

36. DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS FOR FISCAL YEAR 1969

(Public Law 90–557, approved October 11, 1968)

A. Legislative History

Hearings on the Departments of Labor, and Health, Education and Welfare and related agencies appropriations for fiscal 1969 were held before a subcommittee of the House Committee on Appropriations at intervals from February 19 to May 2, 1968. The record of the hearings was printed in 7 parts totaling 6,945 pages. Hearings on these appropriations were held before a subcommittee of the Senate Appropriations Committee intermittently from April 2 to July 1, 1968. The record of the hearings was printed in two parts totaling 2,992 pages.

On June 20, 1968 Representative Daniel J. Flood, of Pennsylvania, reported from the House Committee on Appropriations H. R. 18037, making appropriations for the Departments of Labor, and Health. Education and Welfare for fiscal 1969 (H. Rept. 1575). The bill passed the House on June 26, 1968. It was reported in the Senate, from the Committee on Appropriations, on July 30, 1968 (S. Rept. 1484). It passed the Senate, amended, and the Senate asked for a conference, on September 6, 1968. On September 17, 1968 the House agreed to a conference. The conference report was filed on October 1, 1968 (H. Rept. 1936). The House agreed to the conference report on October 3, 1968. The Senate agreed to the conference report on October 9, 1968. The act was approved by the President on October 11, 1968 and became Public Law 90–557.

B. Summary of Certain Appropriations for Educational and Training Purposes

Following is a summary list of the fiscal year 1969 appropriations for the Office of Education, and for certain institutions and programs of other agencies that are identifiable in this act as being concerned wholly or partly with education or training. Appropriations for some additional programs concerned wholly or partly with education or training appear in the text of the act.

Department of Labor:	
Manpower Administration, manpower development and training activities	$400, 000, 000
Office of Manpower Administration, salaries of expenses	26, 722, 000
Bureau of Apprenticeship and Training, salaries and expenses	9, 055, 000

Department of Health, Education, and Welfare:	
Office of Education:	
Elementary and secondary educational activities	$1,476,993,000
School assistance in federally affected areas	520,845,000
Education professions development	156,900,000
Teacher Corps	20,900,000
Higher educational activities	696,307,000
Expansion and improvement of vocational education	248,216,000
Libraries and community services	143,144,000
Educational improvement for the handicapped	78,850,000
Research and training	89,417,000
Foreign language training and area programs	15,700,000
Salaries and expenses	42,000,000
Public Health Services: Salaries and expenses	9,073,000
Health Manpower:	
Education and utilization	172,176,000
Dental health activities	10,224,000
Construction of health educational facilities	84,800,000
National Institutes of Health:	
National Cancer Institute	185,149,500
National Heart Institute	166,927,500
National Institute of Arthritis and Metabolic Diseases	143,188,000
National Institute of Neurological Diseases and Blindness	128,934,500
National Institute of Allergy and Infectious Diseases	96,840,500
National Institute of General Medical Science	163,513,500
National Institute of Child Health and Human Development	73,126,500
General research and services	84,809,500
National Institute of Mental Health, Mental health research and services	263,139,500
National Library of Medicine	18,160,500
Social and Rehabilitation Service:	
Social services, administration, training and demonstration projects	594,800,000
Grants for rehabilitation services and facilities	368,990,000
Rehabilitation research and training	64,000,000
Salaries and expenses	26,383,000
Gallaudet College. Salaries and expenses	3,635,000
Howard University:	
Salaries and expenses	17,830,000
Construction	2,209,000
Office of the Secretary (HEW):	
Salaries and expenses	8,405,000
Educational broadcasting facilities	4,375,000
Office of Economic Opportunity: Economic opportunity program	1,948,000,000

C. TEXT OF CERTAIN PROVISIONS OF THE ACT

Following is the text of certain provisions of Public Law 90–557 that are determinable from this act as being concerned with education and/or training.

AN ACT Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, namely:

Departments of Labor, and Health, Education, and Welfare Appropriation, 1969.
82 Stat. 969.
82 Stat. 970.

TITLE I—DEPARTMENT OF LABOR

Manpower Administration

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

76 Stat. 23.
Service industry trainees.
80 Stat. 838.
29 USC 206.

For expenses, not otherwise provided for, necessary to carry into effect the Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571–2620), $400,000,000, to remain available until June 30, 1970: *Provided*, That no part of the appropriation for expenses under such Act shall be available to pay any trainee in a service industry to which the provisions of section 6(b) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201–219), are applicable at a rate in excess of the minimum wage prescribed by such section: *Provided further*, That no part of the appropriation in this Act shall be available to pay any trainee in a service industry to which the provisions of section 6(b) of the Fair Labor Standards Act of 1938, as amended, are applicable at a rate in excess of the following, whichever is highest:

(1) the minimum wage prescribed by such section;

(2) the minimum wage requirement applicable to the trainee pursuant to the provisions of any other section of the Act or any other Federal, State, or local law; or

(3) the minimum entrance rate for inexperienced workers in the same occupation in the establishment.

OFFICE OF MANPOWER ADMINISTRATOR, SALARIES AND EXPENSES

For necessary expenses for the Office of the Manpower Administrator, including administering the Manpower Development and Training Act of 1962, as amended, and research under such Act, and for performing the functions of the Secretary in the fields of automation and manpower, $26,722,000, to remain available until June 30, 1970.

BUREAU OF APPRENTICESHIP AND TRAINING, SALARIES AND EXPENSES

29 USC 551.
50 Stat. 664.

For necessary expenses for encouraging apprentice training programs, as authorized by the Acts of March 4, 1913 and August 16, 1937 (37 Stat. 736, as amended, 29 U.S.C. 50), and for performing functions uder the Manpower Development and Training Act of 1962, as amended, $9,055,000.

Bureau of Employment Security

* * * * *

BUREAU OF EMPLOYMENT SECURITY, SALARIES AND EXPENSES

76 Stat. 23.
78 Stat. 920.

For expenses necessary for the general administration of the employment service and unemployment compensation programs; performing functions under the Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571–

2620); and administration of the Farm Labor Contractor Registration Act of 1963 (7 U.S.C. 2041); and activities relating to the admission and employment in agriculture of nonimmigrant aliens in connection with the Secretary of Labor's responsibilities under the Immigration and Nationality Act (8 U.S.C. 1184); $2,900,000, together with not to exceed $20,073,000, which may be expended from the employment security administration account in the Unemployment Trust Fund, of which not to exceed $1,885,000 shall be available for activities of the farm labor services, and of which $2,001,000 shall be for carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944.

66 Stat. 189.

58 Stat. 293.

* * * * *

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * * * *

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

For grants and payments under titles II, III, V, VII, and VIII of the Elementary and Secondary Education Act of 1965, as amended, $258,126,000, of which $50,000,000 shall be for school library resources, textbooks, and other instructional materials under title II of said Elementary and Secondary Education Act of 1965; $165,876,000 shall be for supplementary educational centers and services under title III of said Act; $29,750,000 shall be for strengthening State departments of education under title V of said Act; $7,500,000 shall be for improving the education of bilingual children under title VII of said Act; and $5,000,000 shall be for preventing school dropouts under title VIII of said Act.

20 USC 821–827, 841–848, 861–870, 880b–880b–6, 881–887.

82 Stat. 975.

20 USC 841–848.
20 USC 861–870.

20 USC 880b–880b–6.

For grants to State and loans to nonprofit private schools for equipment and minor remodeling under title III of the National Defense Education Act of 1958, as amended, and for grants to States for administrative services under said title III, $78,740,000; and for grants to States for testing, guidance, and counseling under title V of said Act, $17,000,000: *Provided*, That allotments under sections 302(a) and 305 for equipment and minor remodeling shall be made on the basis of $75,740,000 for grants to States and on the basis of $2,038,636 for loans to nonprofit private schools, and allotments under section 302(b) for administrative services shall be made on the basis of $2,000,000.

20 USC 881–887.

20 USC 441–445.

20 USC 481–491.

For meeting the special educational needs of educationally deprived children under Title II of the Act of September 30, 1950, as amended, $1,123,127,000, for the fiscal year 1969: *Provided*, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants.

20 USC 241a–241m.

For meeting the special educational needs of educationally deprived children under Title II of the Act of September 30, 1950, as amended, not to exceed 90 per centum of the amounts available for each of the activities and objects thereunder for fiscal year 1969 shall be available for the same activities and objects for the fiscal year 1970: *Provided*, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 90 per centum of the amounts allocated from the fiscal year 1969 appropriation to local educational agencies in such States for grants.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

20 USC 236–244.
20 USC 631–647.

For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 9), $90,965,000, fiscal year 1968: *Provided*, That these funds shall not be subject to the provisions of the Anti-Deficiency Statute, Revised Statutes 3679, section 665(c), title 31, United States Code: *Provided further*, That the expenditure of this appropriation shall not be taken into consideration for the purposes of title II of the Revenue and Expenditures Control Act of 1968.

Ante, p. 270.

For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $520,845,000, of which $505,900,000 shall be for payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and $14,745,000 which shall remain available until expended, shall be for providing school facilities and for grants to local educational agencies in federally affected areas as authorized by said Act of September 23, 1950: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of the Act of September 30, 1950: *Provided further*, That not to exceed $200,000 shall be available for necessary expenses for program evaluation activities.

EDUCATION PROFESSIONS DEVELOPMENT ACTIVITIES

20 USC 1111–1119b–2.

For grants, contracts, and payments under parts C, D, and E of the Education Professions Development Act (Public Law 90–35), and title IV of the National Defense Education Act of 1958, as amended (20 U.S.C. 461–465), $156,900,000.

82 Stat. 976.
20 USC 1108–1110c.

For grants under subpart 2 of part B of the Education Professions Development Act (Public Law 90–35), $15,000,000.

TEACHER CORPS

20 USC 1101–1110c.

For the Teacher Corps authorized in part B of title V of the Higher Education Act of 1965, as amended, $20,900,000: *Provided*, That none of these funds may be used to pay in excess of 90 per centum of the salary and other emoluments in the Teacher Corps: *Provided further*, That none of these funds may be spent on behalf of any Teacher Corps program in any local school system prior to approval of such program by the State educational agency of the State in which the school system is located.

HIGHER EDUCATIONAL ACTIVITIES

For grants, loans, contracts, payments, and advances under titles III and IV (except payments under parts C and D) and part A of title VI of the Higher Education Act of 1965, as amended, under the Higher Education Facilities Act of 1963, as amended, under title II of the National Defense Education Act of 1958, as amended (20 U.S.C. 421–429), under section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), and for grants under part C of title I of the Economic Opportunity Act of 1964, as amended, $696,307,000, of which $30,000,000 shall be for the purposes of title III of the Higher Education Act of 1965, $128,600,000 shall be for programs under part A of title IV of that Act, of which $124,600,000 shall be for educational opportunity grants and shall remain available through June 30, 1970, $76,400,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed $1,500,000 for computer services in connection with payments of interest and fees, $14,500,000 shall be for the purposes of part A of title VI of the Act of which amounts reallotted shall remain available through June 30, 1970, $139,900,000 shall be for grants for college work-study programs under part C of title I of the Economic Opportunity Act of 1964 of which amounts reallotted shall remain available through June 30, 1970, $50,000,000 shall be for grants for construction of public community colleges and technical institutes and $33,000,000 shall be for grants for construction of other academic facilities under title I of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1970, $8,000,000, to remain available until expended shall be for grants for construction of graduate academic facilities under title II of that Act, $192,000,000 shall be for Federal capital contributions to student loan funds established in accordance with agreements pursuant to section 204 and loans for non-Federal capital contributions to student loan funds under title II of the National Defense Education Act of 1958, of which not to exceed $2,000,000 shall be for such loans for non-Federal contributions, and $11,950,000 shall be for the purposes of section 22 of the Act of June 29, 1935: *Provided*, That allotments to States for college work-study programs for the fiscal year ending June 30, 1969, shall include, in addition to funds appropriated herein, funds appropriated for this purpose for the fiscal year ending June 30, 1968, but not alloted to States for that fiscal year.

20 USC 1051–1086, 1121–1129.
20 USC 701 note.

74 Stat. 525.
42 USC 2751–2756.

20 USC 711–721.

20 USC 731–733.

HIGHER EDUCATION FACILITIES LOAN FUND

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Educa-

82 Stat. 977.
61 Stat. 584.
31 USC 849.

tion Facilities Loan Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund: *Provided*, That the total amount of loans made from this fund in the current fiscal year shall not exceed $150,000,000.

20 USC 741–745.

For capital for the "Higher education facilities loan fund," for loans for construction of academic facilities under Title III of the Higher Education Facilities Act of 1963, as amended, $100,000,000, to remain available until expended.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

81 Stat. 394.
78 Stat. 800; 80 Stat. 164, 1236.
12 USC 1717.

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended, $3,275,000.

EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION

20 USC 351.
20 USC 35c.

For carrying out the provisions of titles I, II, and III of the Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), section 1 of the Act of March 3, 1931 (20 U.S.C. 30), the Act of March 18, 1950 (20 U.S.C. 31–33), section 9 of the Act of August 1, 1956 (20 U.S.C. 34), section 2 of the Act of September 25, 1962 (48 U.S.C. 1667), and the Vocational Education Act of 1963 (20 U.S.C. 35–35n) (except sections 4(c), 13 and 14) (20 U.S.C. 35c(c) and 35k); $248,216,000, of which $198,225,000 shall be for vocational education programs under section 4(a) and (b) of the Vocational Education Act of 1963 (20 U.S.C. 35a and b).

LIBRARIES AND COMMUNITY SERVICES

20 USC 351 note.
20 USC 1001–1041.
20 USC 1201 note.

For grants and payments pursuant to the Library Services and Construction Act, as amended (20 U.S.C., ch. 16), titles I and II (except section 224(a)(1)) of the Higher Education Act of 1965, and the Adult Education Act of 1966, $143,144,000, of which $35,000,000 shall be for grants for public library services under title I of the Library Services and Construction Act, $9,185,000, to remain available through June 30, 1970, shall be for grants for public library construction under title II of such Act, $2,281,000 shall be for grants for cooperative networks of libraries under title III of such Act, $2,094,000 shall be for grants for State institutional library services under part A of title IV of such Act, $1,334,000 shall be for library services to the physically handicapped under part B of title IV of such Act, $9,500,000 shall be for community service and continuing education programs under title I of the Higher Education Act, as amended, $5,500,000 shall be for transfer to the Librarian of Congress for the acquisition and cataloging of library materials under part C of title II of such Act, and $45,000,000 shall be for adult education programs under the Adult Education Act of 1966.

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

For grants for training and for necessary expenses for research and demonstrations with respect to handicapped children pursuant to the Act of September 6, 1958, as amended (20 U.S.C. 611–617), and section 302 and title V of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended (20 U.S.C. 618); for expenses necessary to carry out the Act of September 2, 1958, as amended (42 U.S.C. 2491–2494); and for grants and contracts under title VI of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 871–880), $78,850,000.

72 Stat. 1777.

82 Stat. 978.
42 USC 2698–2698b.
79 Stat. 983.
42 USC 2491–2495.

RESEARCH AND TRAINING

For research, surveys, training, dissemination of information, and demonstrations in education and in librarianship as authorized by the Cooperative Research Act, as amended (20 U.S.C. 331–332b); section 4(c) of the Vocational Education Act of 1963 (20 U.S.C. 35c(c)); section 224(a)(1) of the Higher Education Act of 1965; $89,417,000, of which $1,250,000 shall be available for program evaluation without regard to the provision in subsection 2(a)(2) of said Cooperative Research Act, as amended, and $11,550,000 shall be available for research, experimental, developmental, and pilot projects under section 4(c) of said Vocational Education Act of 1963.

20 USC 1034.

FOREIGN LANGUAGE TRAINING AND AREA PROGRAMS

For grants, contracts and payments for language and area programs authorized by title VI of the National Defense Education Act and to carry out the provisions of section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961, $15,700,000.

20 USC 511–513.
22 USC 2452.

EDUCATIONAL RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, $1,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; coordination of library service on the national level with other forms of adult education; development of library service throughout the country; purchase, distribution, and exchange of education documents, motion-picture films, and lantern slides; and for rental of conference rooms in the District of Columba; $42,000,000.

PUBLIC HEALTH SERVICE

PREAMBLE

58 Stat. 682.
42 USC 201 note.

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U.S.C., ch. 6A) (hereinafter referred to as the Act), and other Acts, including expenses for active commissioned officers in the Reserve Corps and for not to exceed two thousand eight hundred commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; expenses of primary and secondary schooling of dependents, in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; rental or lease of living quarters (for periods not exceeding 5 years), and provision of heat, fuel, and light, and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; not to exceed $2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Act, at rates established by the Surgeon General, or the Secretary where such action is required by statute, not to exceed $24,500 per annum; as follows:

82 Stat. 979.

42 USC 209.

OFFICE OF THE SURGEON GENERAL

SALARIES AND EXPENSES

For the divisions and offices of the Office of the Surgeon General and for miscellaneous expenses of the Public Health Service not appropriated for elsewhere, including preparing information, articles, and publications related to public health; and conducting studies and demonstrations in public health methods, $9,073,000.

COMPREHENSIVE HEALTH PLANNING AND SERVICES

80 Stat. 1181;
81 Stat. 533.
42 USC 246.

To carry out sections 314(a) through 314(e) of the Act, $167,104,000, of which $7,375,000 shall be available until June 30, 1970, for grants pursuant to such section 314(a).

HEALTH MANPOWER

HEALTH MANPOWER EDUCATION AND UTILIZATION

42 USC 241,
242d, 242g,
243, 292–
295h–5, 296–
298c–8, 288a.

To carry out, to the extent not otherwise provided, sections 301, 306, 309, 311, title VII, and title VIII of the Act, $172,176,000, of which $6,500,000 shall be available through June 30, 1970, to carry out title VIII of the Act with respect to nursing educational opportunity grants: *Provided*, That allotments to States for nursing educational opportunity grants for the fiscal year ending June 30, 1969, pursuant to title VIII of the Act shall include, in addition to funds appropriated herein, funds appropriated for this purpose for the fiscal year ending June 30, 1968, but not allotted to States for that fiscal year.

Loans, grants, and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, loans, grants, and payments under section 306, parts C, F, and G of title VII, and parts B and D of title VIII of the Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such payments pursuant to this paragraph may not exceed 50 per centum of the amounts authorized in section 306, parts C and G of title VII, and parts B and D of title VIII for these purposes for the next succeeding fiscal year.

DENTAL HEALTH ACTIVITIES

82 Stat. 980.

42 USC 241,
243, 288a.

To carry out, to the extent not otherwise provided, sections 301 and 311 of the Act, and for training grants under section 422 of the Act, $10,224,000.

HEALTH EDUCATION LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the following revolving funds, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for the "Health Professions Education Fund" and the "Nurse Training Fund".

61 Stat. 584.
31 USC 849.

CONSTRUCTION OF HEALTH EDUCATION FACILITIES

42 USC 293–293h, 295h–295h–5, 296–296e.

To carry out parts B and G of title VII and part A of title VIII of the Act, $84,800,000, of which $75,000,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, teaching facilities pursuant to section 720 of the Act including $15,000,000 for dental facilities as authorized by subsections (2) and (3) of said section; $4,800,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, facilities for collegiate schools of nursing; $3,200,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, facilities for associate degree and diploma schools of nursing; and $1,800,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, facilities for training centers for allied health professions: *Provided*, That amounts appropriate herein shall remain available until expended.

PAYMENT OF SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interest or participations in the Health Professions Education Fund assets or Nurse Training Fund assets, authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to said section 302(c), $200,000.

81 Stat. 401.
78 Stat. 800;
80 Stat. 164.
12 USC 1717.

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NATIONAL INSTITUTES OF HEALTH

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NATIONAL CANCER INSTITUTE

To enable the Surgeon General, upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for research and training projects relating to cancer; and to otherwise carry out the provisions of title IV, part A, of the Act; $185,149,500.

42 USC 281–286.

NATIONAL HEART INSTITUTE

62 Stat. 464.
42 USC 287 note.

For expenses, not otherwise provided for, necessary to carry out the purposes of the National Heart Act, $166,927,500.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For expenses, not otherwise provided for, necessary to enable the Surgeon General to carry out the purposes of the Act with respect to dental diseases and conditions, $29,983,500.

NATIONAL INSTITUTE OF ARTHRITIS AND METABOLIC DISEASES

For expenses necessary to carry out the purposes of the Act relating to arthritis, rheumatism, and metabolic diseases, $143,888,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND BLINDNESS

For expenses necessary to carry out the purposes of the Act relating to neurology and blindness, $128,934,500.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For expenses, not otherwise provided for, necessary to carry out the purposes of the Act relating to allergy and infectious diseases, $96,840,500, of which $500,000 shall be available for payment to the Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory.

82 Stat. 983.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For expenses not otherwise provided for, necessary to carry out the purposes of the Act with respect to general medical sciences, including the training of clinical anesthesiologists, $163,513,500.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For expenses, not otherwise provided for, necessary to carry out the purposes of the Act with respect to child health and human development, $73,126,500.

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GENERAL RESEARCH AND SERVICES, NATIONAL INSTITUTES OF HEALTH

For the activities of the National Institutes of Health, not otherwise provided for, including research fellowships and grants for research projects and training grants pursuant to section 301 of the Act; and grants of therapeutic and chemical substances for demonstrations and research; $84,809,500: *Provided*, That funds advanced to the National Institutes of Health management fund from appropriations included in this Act shall be available for the cost of sharing medical care facilities and resources pursuant to section 328 of the Act, purchase of not to exceed nine passenger motor vehicles for replacement only; and not to exceed $2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General.

81 Stat. 539.
42 USC 254a.

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NATIONAL INSTITUTE OF MENTAL HEALTH

82 Stat. 984.

MENTAL HEALTH RESEARCH AND SERVICES

For expenses necessary for carrying out the provisions of sections 301, 302, 303, 311, 312, 321, 322, 324, 326, 341, 343, 344, 502, and 504 of the Act, section 810 of the Act of July 1, 1944, as amended (33 U.S.C. 763c), the Act of July 19, 1963 (Public Law 88–71), with respect to mental diseases, and Executive Order 9079 of February 26, 1942, including purchase and exchange of farm products and livestock; and purchase of firearms and ammunition; and, to the extent not otherwise pro-

42 USC 241 *et seq.*, 220, 222.
77 Stat. 83.
42 USC 253a.
3 CFR 1943 Cum. Supp., p. 1101.
77 Stat. 290;
79 Stat. 427.
80 Stat. 1438.
42 USC 3401 note.

vided, of the Community Mental Health Centers Act (42 U.S.C. 2681–2688), as amended, and the Narcotic Addict Rehabilitation Act of 1966 (Public Law 89–793), $263,139,000.

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NATIONAL LIBRARY OF MEDICINE

70 Stat. 960;
79 Stat. 1067.
42 USC 280b note.

To carry out section 301 of the Act and for expenses, not otherwise provided for, necessary to carry out the National Library of Medicine Act (42 U.S.C. 275), and the Medical Library Assistance Act of 1965 (79 Stat. 1059), $18,160,500, of which $1,500,000 shall remain available until June 30, 1970.

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SOCIAL AND REHABILITATION SERVICE

* * * * *

SOCIAL SERVICES, ADMINISTRATION, TRAINING, AND DEMONSTRATION PROJECTS

81 Stat. 930.
42 USC 908.
81 Stat. 897.
42 USC 610.

For grants or payments, not otherwise provided for carrying out titles I, X, XIV, XVI, and XIX, part A of title IV, and section 707 of the Social Security Act, including such amounts as may be necessary for transfer to the Secretary of the Treasury for assistance in locating parents, as authorized in section 410 of such Act, and not to exceed $3,000,000 for grants as authorized in section 707 of the Act, $594,800,000.

GRANTS FOR REHABILITATION SERVICES AND FACILITIES

79 Stat. 1282–1290.
29 USC 32–34, 41a, 41b.

For grants under sections 2, 3, 4(a)(2)(A), 12, and 13 of the Vocational Rehabilitation Act, as amended, $368,990,000 of which $345,900,000 is for grants for vocational rehabilitation services under section 2; $3,200,000 is for grants under section 3; $8,000,000 (to remain available through June 30, 1971) shall be for planning, preparing for, and initiating special programs to expand vocational rehabilitation services under section 4(a)(2)(A); and $1,890,000 (to remain available through June 30, 1970) is for grants with respect to workshops and rehabilitation facilities under section 12: *Provided*, That the Secretary shall, within the limits of the allotments and additional allotments for grants under section 2 of each Act, allocate (or from time to time reallocate) among the States, in accordance with regulations, amounts not exceeding in the aggregate $10,000,000, which may be used only for paying the Federal share of expenditures for the establishment of workshops or rehabilitation facilities where the State funds used for such expenditures are derived from private contributions conditioned on use for a specified workshop or facility, and no part of the allotment or additional allotment to any State for grants under section 2 of said Act other than the allocation or reallocation to such State under this proviso may be so used: *Provided further*, That the allotment to any State under section 3(a)(1) of such Act shall be not less than $25,000.

Grants to States, next succeeding fiscal year: For making, after May 31, of the current fiscal year, grants to States under section 2 of the Vocational Rehabilitation Act, as amended, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation therefor for that fiscal year: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount paid to the States for the first quarter of the current fiscal year.

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REHABILITATION RESEARCH AND TRAINING

For grants and other expenses (except administrative expenses) for research, training, traineeships, and other special projects, pursuant to sections 4, 7, and 16, of the Vocational Rehabilitation Act, as amended, and not to exceed $100,000 for carrying out functions authorized by the International Health Research Act of 1960 (74 Stat. 364), $64,000,000. **29 USC 34, 37, 42. 22 USC 2101 note.**

* * * * *

VOCATIONAL REHABILITATION RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Social and Rehabilitation Service, in connection with activities related to vocational rehabilitation, aging and other research and training by the Social and Rehabilitation Service, as authorized by law, $5,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such Service, for payments in the foregoing currencies.

SOCIAL AND REHABILITATION SERVICE, SALARIES AND EXPENSES

82 Stat. 988.

For expenses, not otherwise provided for, necessary for the Social and Rehabilitation Service, including purchase of reports and material for the publications of the Children's Bureau and of reprints for distribution, $26,383,000, together with not to exceed $348,000 to be transferred from the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund, as provided in Section 222 (d) (5) of the Social Security Act. **79 Stat. 408. 42 USC 422.**

Grants to States, payments after April 30: For making, after April 30 of the current fiscal year, payments to States under titles I, IV, V, X, XIV, XVI, and XIX, respectively, of the Social Security Act, for the last two months of the current fiscal year (except with respect to activities included in the appropriation for "Work incentive activities") and for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged **42 USC 301, 601, 701, 1201, 1351, 1381, 1396.**

to the subsequent appropriations therefor for the current or succeeding fiscal year.

In the administration of titles I, IV (other than part C thereof), V, X, XIV, XVI, and XIX, respectively, of the Social Security Act, payments to a State under any of such titles for any quarter in the period beginning April 1 of the prior year, and ending June 30 of the current year, may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval.

Such amounts as may be necessary from the appropriations for "Grants to States for maintenance payments," "Grants to States for medical assistance," and "Social services, administration, training, and demonstration projects," shall be available for grants to States for any period in the prior fiscal year subsequent to March 31, of that year.

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SPECIAL INSTITUTIONS

AMERICAN PRINTING HOUSE FOR THE BLIND

20 Stat. 468; 75 Stat. 627.

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101–105), $1,340,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

79 Stat. 125. 20 USC 681 note.

For carrying out the National Technical Institute for the Deaf Act (Public Law 89–36), $800,000, to remain available until expended.

MODEL SECONDARY SCHOOL FOR THE DEAF, SALARIES AND EXPENSES

80 Stat. 1027. D.C. Code 31–1051 note.

For carrying out the Model Secondary School for the Deaf Act (Public Law 89–694), $400,000.

MODEL SECONDARY SCHOOL FOR THE DEAF, CONSTRUCTION

For carrying out the Model Secondary School for the Deaf Act (Public Law 89–694), $445,000, to remain available until expended.

GALLAUDET COLLEGE, SALARIES AND EXPENSES

68 Stat. 265. D.C. Code 31–1025 to 31–1032.

31 Stat. 844.

For the partial support of Gallaudet College, including personal services and miscellaneous expenses, and repairs and improvements as authorized by the Act of June 18, 1954 (Public Law 420), $3,635,000: *Provided*, That Gallaudet College shall be paid by the District of Columbia, in advance at the beginning of each quarter, at a rate not less than $1,064 per school year for each student receiving elementary or secondary education pursuant to the Act of March 1, 1901 (31 D.C. Code 1008).

HOWARD UNIVERSITY, SALARIES AND EXPENSES

For the partial support of Howard University, including personal services, miscellaneous expenses, and repairs to buildings and grounds, $17,830,000.

HOWARD UNIVERSITY, CONSTRUCTION

For the construction, purchase, renovation, and equipment of buildings and facilities for Howard University, under the supervision of the General Services Administration, including planning, architectural, and engineering services, $2,209,000, to remain available until expended.

* * * * *

EDUCATIONAL BROADCASTING FACILITIES

For grants to assist construction of educational broadcasting facilities, as authorized by part IV of Title III of the Communications Act of 1934, as amended (76 Stat. 64; 81 Stat. 365), and for related salaries and expenses, to remain available until expended, $4,375,000, of which not to exceed $375,000 shall be available for such salaries and expenses during the current fiscal year.

47 USC 390–399.

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TITLE III—RELATED AGENCIES

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OFFICE OF ECONOMIC OPPORTUNITY

ECONOMIC OPPORTUNITY PROGRAM

For expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964 (Public Law 88–452, approved August 20, 1964), as amended, $1,948,000,000, plus reimbursements: *Provided*, That those provisions of the Economic Opportunity Amendments of 1967 that set mandatory funding levels for programs newly authorized therein shall not be effective during the fiscal year ending June 30, 1969: *Provided further*, That this appropriation shall be available for transfers to the economic opportunity loan funds for loans under title III, and amounts so transferred shall remain available until expended: *Provided further*, That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for construction, alteration, and repair of buildings and other facilities, as authorized by section 602 of the Economic Opportunity Act of 1964, and for purchase of real property for training centers: *Provided further*, That this appropriation shall not be available for contracts under titles I, II, V, VI, and VIII extending for more than twenty-four months: *Provided further*, That no part of the funds appropriated in this paragraph shall be available for any grant until the Director has determined that the grantee is qualified to administer the funds and programs involved in the proposed

78 Stat. 508.
42 USC 2701 note.
81 Stat. 672.
42 USC 2711 note.

42 USC 2841–2881.

82 Stat. 994.

42 USC 2942.

42 USC 2711–2768, 2781–2837, 2921–2933, 2941–2980, 2991–2994d.

grant: *Provided further*, That all grant agreements shall provide that the General Accounting Office shall have access to the records of the grantee which bear exclusively upon the Federal grant.

37. SUPPORT OF CONSTRUCTION AT EISENHOWER COLLEGE

(Public Law 90–563, approved October 12, 1968)

A. Legislative History

On July 10, 1968, the Special Subcommittee on Education of the Committee on Education and Labor held hearings on H.J. Res. 800, a proposal introduced by Representative Samuel S. Stratton, of New York, to provide funds to be used in support of construction and endowment of Eisenhower College at Seneca Falls, New York. The record of the hearings was printed in a volume of 30 pages. No further action was taken on this joint resolution.

A similar proposal, H.R. 19831, was introduced on September 17, 1968 by Representative Gerald R. Ford, of Michigan, and others. The bill was referred to the Committee on Education and Labor. It was reported from that committee on September 25, 1968 (H. Rept. 1923). It passed the House on September 26, 1968. It passed the Senate on September 30, 1968. It was approved by the President on October 12, 1968 and became Public Law 90–563.

B. Digest of the Act

The Act authorizes appropriations for grants in honor of Dwight David Eisenhower, thirty-fourth President of the United States, to be used in support of construction of educational facilities at Eisenhower College, Seneca Falls, New York, as a distinguished and permanent living memorial to his life and deeds.

The Act limits to $5,000,000 the aggregate amount of appropriations for this purpose.

C. Text of the Law

Following is the text of Public Law 90–563.

82 Stat. 1000.

AN ACT To provide funds on behalf of a grateful nation in honor of Dwight David Eisenhower, thirty-fourth President of the United States, to be used in support of construction of educational facilities at Eisenhower College, Seneca Falls, New York, as a distinguished and permanent living memorial to his life and deeds.

Eisenhower College, Seneca Falls, N.Y.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall make grants to Eisenhower College of Seneca Falls, New York. Such grants shall be made on condition that the funds so granted will be used for the construction of educational facilities at such college, for the equipment for such facilities, and for the repair, renovation, and rehabilitation thereof (but not for routine and ordinary maintenance).

SEC. 2. There is hereby authorized to be appropriated to the Secretary of the Treasury for making grants under this Act, amounts which in the aggregate will not exceed gifts, bequests, and devices, of money, securities, and other property, made to Eisenhower College after the date of enactment of this Act, except that the aggregate amount so appropriated shall not exceed $5,000,000. Funds appropriated under this Act shall remain available until expended.

Appropriation.

38. INTERGOVERNMENTAL COOPERATION ACT OF 1968

(Applicable to Intergovernmental Cooperation in the Field of Education)

(Public Law 90–577, approved October 16, 1968)

A. LEGISLATIVE HISTORY

S. 698, a bill proposing to strengthen intergovernmental cooperation, improve the administration of grants-in-aid to the States, et cetera, was introduced on January 26, 1967, by Senator Edmund S. Muskie, of Maine (for himself and 31 other senators). The bill was referred to the Committee on Government Operations. Hearings on this and related proposals were held before the Subcommittee on Intergovernmental relations of the Senate Committee on Government Operations on May 9, 10, 14, 15, 16, 21, 22, 28 and 29, 1968. The record of the hearings was printed in a volume of 536 pages.

Hearings on H.R. 16718 and related bills to strengthen intergovernmental cooperation and for other purposes were held before a subcommittee of the House Committee on Government Operations on June 12 and 13, 1968. The record of the hearings was printed in a volume of 233 pages.

A new "Intergovernmental Cooperation Act," H.R. 18826, was introduced on July 23, 1968 by Representative John A. Blatnik, of Minnesota, and other Members of the House. This bill was referred to the Committee on Government Operations. It was reported in the House on August 2, 1968 (H. Rept. 1845). Under suspension of the rules, it passed the House on September 16, 1968, when the proceedings were vacated, H.R. 18826 was laid on the table and S. 698 as amended, was passed in lieu.

S. 698 was reported in the Senate on July 24, 1968 (S. Rept. 1456). The bill passed the Senate on July 29, 1968. It was referred to the House Committee on Government Operations on July 31, 1968. The committee was discharged. The bill passed the House, amended, on September 16, 1968. On September 17, 1968 the Senate asked for a conference. On September 19, 1968, the House agreed to a conference. The conference report was filed on September 30, 1968 (H. Rept. 1934). The House agreed to the conference report on October 1, 1968. The Senate agreed to the conference report on October 4, 1968. The Act was approved on October 16, 1968 and became Public Law 90–577.

B. Digest of the Act

Intergovernmental Cooperation Act:

Title I—Definitions.—Defines such terms as "Federal Agency," "political subdivision," and "grant-in-aid." Asserts that Federal assistance means programs that provides assistance through grant or contractual arrangements, and includes programs providing assistance in the form of loans, loan guarantees or insurance.

Title II—Improved Administration of Grants-in-Aid to the States.—Provides for the notification in writing to the Governor or to the State legislature of the purpose and amounts of actual grants-in-aid to the State or political subdivisions. Asserts that a copy of requested information shall be furnished the State Legislature or Governor. Requires that all Federal grant-in-aid funds made available to the States shall be properly accounted for as Federal funds in the accounts of the State. Requires that the head of the Federal agency and the Comptroller General of the United States shall have access for the purpose of audit and examination to the documents, papers, and records that are pertinent to the grant-in-aid received by the States.

Revises the scheduling of fund transfers to the States and permits the States to budget Federal grant funds in a manner similar to that in which other revenues are budgeted.

Title III—Permitting Federal Departments and Agencies to Provide Special or Technical Services to State and Local Units of Government.—Authorizes all Federal departments and agencies to render special or technical services to State and local governments on a reimbursable basis. Authorizes the head of any Federal department or agency to provide specialized or technical services, upon payment, to the department or agency of salaries and all other identifiable direct or indirect costs of performing such services.

Requires heads of Federal agencies to report annually to Congress the scope of services provided under this title.

Title IV—Coordinated Intergovernmental Policy and Administration of Development Assistance Programs.—Establishes a coordinated intergovernmental policy.

Requires the President to establish rules and regulations governing the formulation, evaluation, and review of Federal programs having an impact on area and community development. Asserts that all viewpoints—national, regional, State and local—shall be fully considered in planning Federally assisted programs. Allows the President to designate the Bureau of the Budget to prescribe such rules and regulations as are deemed appropriate for the administration of development assistance programs.

Title V—Acquisition Use, and Disposition of Land within Urban Areas by Federal Agencies in Conformity with Land Utilization Programs of Affected Local Government.—Prescribes a uniform policy of procedure for urban land transactions and use undertaken by the General Services Administration, by requiring consistency of that agency's policies with local zoning regulations and development objectives.

Provides that whenever the Administrator contemplates the disposal of any property of any Federal agency, he shall notify the head of the local government in order to afford it the opportunity to zoning for the use of such land in accordance with local comprehensive planning. Requires the Administrator to consider all objections made to any acquisition of real property in an urban area for a public building and to comply with regulations of the local government.

Title VI—Review of Federal Grant-in-Aid Programs.—Provides that a study of the grant-in-aid programs, which are authorized by an act of Congress enacted before the date of enactment of this Act, shall be conducted prior to the expiration of the fourth calendar year beginning after the date of the enactment of this Act.

Requires the Comptroller General upon request (of any committee having jurisdiction over a grant-in-aid program) to make a study to determine whether a grant-in-aid program conflicts with other grant-in-aid programs and whether more efficient administration of the program can be achieved.

Requires the Advisory Commission on Intergovernmental Relations to conduct studies of the intergovernmental relation aspects of such program.

C. Text of the Law

Following is the text of Public Law 90–577.

AN ACT To achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic congressional review of Federal grants-in-aid, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Intergovernmental Cooperation Act of 1968".

Intergovernmental Cooperation Act of 1958.

TITLE I—DEFINITIONS

When used in this Act—

FEDERAL AGENCY

82 Stat. 1098.
82 Stat. 1099.

Sec. 101. The term "Federal agency" means any department, agency, or instrumentality in the executive branch of the Government and any wholly owned Government corporation.

STATE

Sec. 102. The term "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State.

POLITICAL SUBDIVISION OR LOCAL GOVERNMENT

SEC. 103. The term "political subdivision" or "local government" means a local unit of government, including specifically a county, municipality, city, town, township, or a school or other special district created by or pursuant to State law.

UNIT OF GENERAL LOCAL GOVERNMENT

SEC. 104. "Unit of general local government" means any city, county, town, parish, village, or other general purpose political subdivision of a State.

SPECIAL-PURPOSE UNIT OF LOCAL GOVERNMENT

SEC. 105. "Special-purpose unit of local government" means any special district, public-purpose corporation, or other strictly limited-purpose political subdivision of a State, but shall not include a school district.

GRANT OR GRANT-IN-AID

SEC. 106. The term "grant" or "grant-in-aid" means money, or property provided in lieu of money, paid or furnished by the United States under a fixed annual or aggregate authorization—

(A) to a State; or

82 Stat. 1100

(B) to a political subdivision of a State; or

(C) to a beneficiary under a plan or program, administered by a State or a political subdivision of a State, which is subject to approval by a Federal agency;

if such authorization either (i) requires the States or political subdivisions to expend non-Federal funds as a condition for the receipt of money or property from the United States; or (ii) specifies directly, or establishes by means of a formula, the amounts which may be paid or furnished to States or political subdivisions, or the amounts to be allotted for use in each of the States by the States, political subdivisions, or other beneficiaries. The term also includes money, or property provided in lieu of money, paid and furnished by the United States to any community action agency under the Economic Opportunity Act of 1964, as amended. The term does not include (1) shared revenues; (2) payments of taxes; (3) payments in lieu of taxes; (4) loans or repayable advances; (5) surplus property or surplus agricultural commodities furnished as such; (6) payments under research and development contracts or grants which are awarded directly and on similar terms to all qualifying organizations, whether public or private; or (7) payments to States or political subdivisions as full reimbursement for the costs incurred in paying benefits or furnishing services to persons entitled thereto under Federal laws.

78 Stat. 508;
79 Stat. 973,
1249.
42 USC 2701 note.

FEDERAL ASSISTANCE, FEDERAL FINANCIAL ASSISTANCE, FEDERAL ASSISTANCE PROGRAMS, OR FEDERALLY ASSISTED PROGRAMS

Sec. 107. The term "Federal assistance", "Federal financial assistance", "Federal assistance programs", or "federally assisted programs", means programs that provide assistance through grant or contractual arrangements, and includes technical assistance programs or programs providing assistance in the form of loans, loan guarantees, or insurance. The term does not include any annual payment by the United States to the District of Columbia authorized by article VI of the District of Columbia Revenue Act of 1947 (D.C. Code secs. 47–2501a and 47–2501b).

80 Stat. 857;
81 Stat. 339.

SPECIALIZED OR TECHNICAL SERVICES

Sec. 108. "Specialized or technical services" means statistical and other studies and compilations, development projects, technical tests and evaluations, technical information, training activities, surveys, reports, documents, and any other similar service functions which any department or agency of the executive branch of the Federal Government is especially equipped and authorized by law to perform.

COMPREHENSIVE PLANNING

Sec. 109. "Comprehensive planning" includes the following, to the extent directly related to area needs or needs of a unit of general local government: (A) preparation, as a guide for governmental policies and action, of general plans with respect to (i) the pattern and intensity of land use, (ii) the provision of public facilities (including transportation facilities) and other government services, and (iii) the effective development and utilization of human and natural resources; (B) long-range physical and fiscal plans for such action; (C) programing of capital improvements and other major expenditures, based on a determination of relative urgency, together with definitive financing plans for such expenditures in the earlier years of the program; (D) coordination of all related plans and activities of the State and local governments and agencies concerned; and (E) preparation of regulatory and administrative measures in support of the foregoing.

HEAD OF AGENCY

82 Stat. 1101.

Sec. 110. The term "head of a Federal agency" or "head of a State agency" includes a duly designated delegate of such agency head.

TITLE II—IMPROVED ADMINISTRATION OF GRANTS-IN-AID TO THE STATES

FULL INFORMATION ON FUNDS RECEIVED

Sec. 201. Any department or agency of the United States Government which administers a program of grants-in-aid to any of the State governments of the United States or to their political subdivisions shall, upon request, notify in writing the Governor, the State legislature, or other official designated by either, of the purpose and amounts of actual grants-in-aid to the State or to its political subdivisions. In each instance, a copy of requested information shall be furnished the State legislature or the Governor depending upon the original request for such data.

DEPOSIT OF GRANTS-IN-AID

SEC. 202. No grant-in-aid to a State shall be required by Federal law or administrative regulation to be deposited in a separate bank account apart from other funds administered by the State. All Federal grant-in-aid funds made available to the States shall be properly accounted for as Federal funds in the accounts of the State. In each case the State agency concerned shall render regular authenticated reports to the appropriate Federal agency covering the status and the application of the funds, the liabilities and obligations on hand, and such other facts as may be required by said Federal agency. The head of the Federal agency and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to the grant-in-aid received by the States.

SCHEDULING OF FEDERAL TRANSFERS TO THE STATES

SEC. 203. Heads of Federal departments and agencies responsible for administering grant-in-aid programs shall schedule the transfer of grant-in-aid funds consistent with program purposes and applicable Treasury regulations, so as to minimize the time elapsing between the transfer of such funds from the United States Treasury and the disbursement thereof by a State, whether such disbursement occurs prior to or subsequent to such transfer of funds, or subsequent to such transfer of funds. States shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes.

ELIGIBLE STATE AGENCY

SEC. 204. Nothwithstanding any other Federal law which provides that a single State agency or multimember board or commission must be established or designated to administer or supervise the administration of any grant-in-aid program, the head of any Federal department or agency administering such program may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government, waive the single State agency or multimember board or commission provision upon adequate showing that such provision prevents the establishment of the most effective and efficient organizational arrangements within the State government and approve other State administrative structure or arrangements: *Provided*, That the head of the Federal department or agency determines that the objectives of the Federal statute authorizing the grant-in-aid program will not be endangered by the use of such other State structure or arrangements. 82 Stat. 1102.

TITLE III—PERMITTING FEDERAL DEPARTMENTS AND AGENCIES TO PROVIDE SPECIAL OR TECHNICAL SERVICES TO STATE AND LOCAL UNITS OF GOVERNMENT

STATEMENT OF PURPOSE

SEC. 301. It is the purpose of this title to encourage intergovernmental cooperation in the conduct of specialized or technical services and provision of facilities essential to the administration of State or local governmental activities, many of which are nationwide in scope and financed in part by Federal funds; to enable State or local governments to avoid unnecessary duplication of special service functions; and to authorize all departments and agencies of the executive branch of the Federal Government which do not have such authority to provide reimbursable specialized or technical services to State and local governments.

AUTHORITY TO PROVIDE SERVICE

SEC. 302. The head of any Federal department or agency is authorized within his discretion, upon written request from a State or political subdivision thereof, to provide specialized or technical services, upon payment, to the department or agency by the unit of government making the request, of salaries and all other identifiable direct or indirect costs of performing such services: *Provided, however*, That such services shall include only those which the Director of the Bureau of the Budget through rules and regulations determines Federal departments and agencies have special competence to provide. Such rules and regulations shall be consistent with and in furtherance of the Government's policy of relying on the private enterprise system to provide those services which are reasonably and expeditiously available through ordinary business channels.

REIMBURSEMENT OF APPROPRIATION

SEC. 303. All moneys received by any department or agency of the executive branch of the Federal Government, or any bureau or other administrative division thereof, in payment for furnishing specialized or technical services as authorized under section 302 shall be deposited to the credit of the principal appropriation from which the cost of providing such services has been paid or is to be charged.

REPORTS TO CONGRESS

SEC. 304. The Secretary of any department or the administrative head of any agency of the executive branch of the Federal

Government shall furnish annually to the respective Committees on Government Operations of the Senate and House of Representatives a summary report on the scope of the services provided under the administration of this title.

82 Stat. 1103.

RESERVATION OF EXISTING AUTHORITY

SEC. 305. This title is in addition to and does not supersede any existing authority now possessed by any Federal department or agency with respect to furnishing services, whether on a reimbursable or nonreimbursable basis, to State and local units of government.

TITLE IV—COORDINATED INTERGOVERNMENTAL POLICY AND ADMINISTRATION OF DEVELOPMENT ASSISTANCE PROGRAMS

DECLARATION OF DEVELOPMENT ASSISTANCE POLICY

SEC. 401. (a) The economic and social development of the Nation and the achievement of satisfactory levels of living depend upon the sound and orderly development of all areas, both urban and rural. Moreover, in a time of rapid urbanization, the sound and orderly development of urban communities depends to a large degree upon the social and economic health and the sound development of smaller communities and rural areas. The President shall, therefore, establish rules and regulations governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, including programs providing Federal assistance to the States and localities, to the end that they shall most effectively serve these basic objectives. Such rules and regulations shall provide for full consideration of the concurrent achievement of the following specific objectives and, to the extent authorized by law, reasoned choices shall be made between such objectives when they conflict:

(1) Appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes;

(2) Wise development and conservation of natural resources, including land, water, minerals, wildlife, and others;

(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

(4) Adequate outdoor recreation and open space;

(5) Protection of areas of unique natural beauty, historical and scientific interest;

(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

(7) Concern for high standards of design.

(b) All viewpoints—national, regional, State, and local—shall, to the extent possible, be fully considered and taken into account in planning Federal or federally assisted development programs and projects. State and local government objectives, together with the objectives of regional organizations shall be considered and evaluated within a framework of national public objectives, as expressed in Federal law, and available projections of future national conditions and needs of regions, States, and localities shall be considered in plan formulation, evaluation, and review.

(c) To the maximum extent possible, consistent with national objectives, all Federal aid for development purposes shall be consistent with and further the objectives of State, regional, and local comprehensive planning. Consideration shall be given to all developmental aspects of our total national community, including but not limited to housing, transportation, economic development, natural and human resources development, community facilities, and the general improvement of living environments.

(d) Each Federal department and agency administering a development assistance program shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs. 82 Stat. 1104.

(e) Insofar as possible, systematic planning required by individual Federal programs (such as highway construction, urban renewal, and open space) shall be coordinated with and, to the extent authorized by law, made part of comprehensive local and areawide development planning.

FAVORING UNITS OF GENERAL LOCAL GOVERNMENT

SEC. 402. Where Federal law provides that both special-purpose units of local government and units of general local government are eligible to receive loans or grants-in-aid, heads of Federal departments and agencies shall, in the absence of substantial reasons to the contrary, make such loans or grants-in-aid to units of general local government rather than to special-purpose units of local government.

RULES AND REGULATIONS

SEC. 403. The Bureau of the Budget or such other agency as may be designated by the President is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this title.

TITLE V—ACQUISITION, USE, AND DISPOSITION OF LAND WITHIN URBAN AREAS BY FEDERAL AGENCIES IN CONFORMITY WITH LAND UTILIZATION PROGRAMS OF AFFECTED LOCAL GOVERNMENT

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

63 Stat. 377.
40 USC 471 note.

Sec. 501. The Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), is amended by adding at the end thereof a new title as follows:

"TITLE VIII—URBAN LAND UTILIZATION

"SHORT TITLE

Citation of title.

"Sec. 801. This title may be cited as the 'Federal Urban Land-Use Act'.

"DECLARATION OF PURPOSE AND POLICY

"Sec. 802. It is the purpose of this title to promote more harmonious intergovernmental relations and to encourage sound planning, zoning, and land use practices by prescribing uniform policies and procedures whereby the Administrator shall acquire, use, and dispose of land in urban areas in order that urban land transactions entered into for the General Services Administration or on behalf of other Federal agencies shall, to the greatest extent practicable, be consistent with zoning and land-use practices and shall be made to the greatest extent practicable in accordance with planning and development objectives of the local governments and local planning agencies concerned.

"DISPOSAL OF URBAN LANDS

82 Stat. 1105.

"Sec. 803. (a) Whenever the Administrator contemplates the disposal for or on behalf of any Federal agency of any real property situated within an urban area, he shall, prior to offering such land for sale, give reasonable notice to the head of the governing body of the unit of general local government having jurisdiction over zoning and land-use regulation in the geographical area within which the land or lands are located in order to afford the government the opportunity of zoning for the use of such land in accordance with local comprehensive planning.

"(b) The Administrator, to the greatest practicable extent, shall furnish to all prospective purchasers of such real property, full and complete information concerning—

"(1) current zoning regulations and prospective zoning requirements and objectives for such property when it is unzoned; and

"(2) current availability to such property of streets, sidewalks, sewers, water, street lights, and other service facilities and prospective availability of such services if such property is included in comprehensive planning.

"ACQUISITION OR CHANGE OF USE OF REAL PROPERTY

"SEC. 804. (a) To the extent practicable, prior to a commitment to acquire any real property situated in an urban area, the Administrator shall notify the unit of general local government exercising zoning and land-use jurisdiction over the land proposed to be purchased of his intent to acquire such land and the proposed use of the property. In the event that the Administrator determines that such advance notice would have an adverse impact on the proposed purchase, he shall, upon conclusion of the acquisition, immediately notify such local government of the acquisition and the proposed use of the property.

"(b) In the acquisition or change of use of any real property situated in an urban area as a site for public building, the Administrator shall, to the extent he determines practicable—

"(1) consider all objections made to any such acquisition or change of use by such unit of government upon the ground that the proposed acquisition or change of use conflicts or would conflict with the zoning regulations or planning objectives of such unit; and

"(2) comply with and conform to such regulations of the unit of general local government having jurisdiction with respect to the area within which such property is situated and the planning and development objectives of such local government.

"SEC. 805. The procedures prescribed in sections 803 and 804 may be waived during any period of national emergency proclaimed by the President.

"DEFINITIONS

"SEC. 806. As used in this title—

"(a) 'Unit of general local government' means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

"(b) 'Urban area' means—

"(1) any geographical area within the jurisdiction of any incorporated city, town, borough, village, or other unit of general local government, except county or parish, having a population of ten thousand or more inhabitants;

"(2) that portion of the geographical area within the jurisdiction of any county, town, township, or similar governmental entity which contains no incorporated unit of general local government but has a population density equal to or exceeding one thousand five hundred inhabitants per square mile; and 82 Stat. 1106.

"(3) that portion of any geographical area having a population density equal to or exceeding one thousand five hundred inhabitants per square mile and situated adjacent to the boundary of any incorporated unit of general local government which has a population of ten thousand or more inhabitants.

"(c) 'Comprehensive planning' includes the following, to the extent directly related to the needs of a unit of general local government:

"(1) Preparation, as a guide for governmental policies and action, of general plans with respect to (A) the pattern and intensity of land use, (B) the provision of public facilities (including transportation facilities) and other governmental services, and (C) the effective development and utilization of human and natural resources:

"(2) Long-range physical and fiscal plans for such action:

"(3) Programing of capital improvements and other major expenditures, based on a determination of relative urgency, together with definitive financing plans for such expenditures in the earlier years of the program;

"(4) Coordination of all related plans and activities of the State and local governments and agencies; and

"(5) Preparation of regulatory and administrative measures in support of the foregoing."

TITLE VI—REVIEW OF FEDERAL GRANT-IN-AID PROGRAMS

CONGRESSIONAL REVIEW OF GRANT-IN-AID PROGRAMS

SEC. 601. (a) Where any Act of Congress authorizes the making of grants-in-aid and no expiration date for such authority has been specified by law, then prior to the expiration of each period specified in subsection (b) the Committees of the Senate and the House having legislative jurisdiction over such grants-in-aid shall, separately or jointly, conduct studies of the program under which such grants-in-aid are made and advise their respective House of the results of their findings with special attention to—

(1) The extent to which the purposes for which the grants-in-aid are authorized have been met;

(2) The extent to which the objectives of such programs can be carried on without financial assistance from the United States;

(3) Whether or not any changes in purpose, direction or administration of the original program, or in procedures and requirements applicable thereto, shall be made; and

(4) The extent to which such grant-in-aid programs are adequate to meet the growing and changing needs which they were designed to support.

(b) (1) A study of a grant-in-aid program to which subsection (a) applies and which is authorized by an Act of Congress enacted before the date of enactment of this Act shall be conducted prior to the expiration of the fourth calendar year beginning after the date of enactment of this Act, and thereafter prior to the expiration of the fourth calendar year following the year during which a study of such program was last conducted under this paragraph.

(2) A study of a grant-in-aid program to which subsection (a) applies and which is authorized by an Act of Congress enacted after the date of enactment of this Act shall be conducted prior to the expiration of the fourth calendar year following the year of enactment of such Act, and prior to the expiration of each fourth calendar year thereafter.

82 Stat. 1107.

STUDIES BY COMPTROLLER GENERAL OF FEDERAL GRANT-IN-AID PROGRAMS

SEC. 602. (a) Upon request of any committee having jurisdiction over a grant-in-aid program, the Comptroller General shall make a study of such program to determine among other relevant matters, the extent to which—

(1) such program conflicts with or duplicates other grant-in-aid programs; and

(2) more effective, efficient, economical, and uniform administration of such program can be achieved by changing certain requirements and procedures applicable thereto.

(b) In reviewing grant-in-aid programs the Comptroller General shall consider, among other relevant matters, and the budgetary, accounting, reporting and administrative procedures applicable to such programs. Reports on such studies, together with recommendations, shall be submitted by the Comptroller General to the Congress. Reports on expiring programs should, to the extent practicable, be submitted in the year prior to the date set for the expiration.

Reports to Congress.

STUDIES BY ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SEC. 603. Upon request of any committee having jurisdiction over a grant-in-aid program, the Advisory Commission on Intergovernmental Relations (established by Public Law 86–380, as amended) shall conduct studies of the intergovernmental relations aspects of such program including (1) the impact of such program, if any, on the structural organization of State and local goverments and on Federal-State-local fiscal relations, and (2) the coordination of Federal administration of such program with State and local administration thereof, and shall report its findings and recommendations to such committee and to the Congress.

Report to Congress.

PRESERVATION OF HOUSE AND SENATE COMMITTEE JURISDICTION

SEC. 604. Nothing in this Act shall be construed to affect the jurisdiction of committees under the rules of the Senate and the House of Representatives.

39. DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1969: APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–580, approved October 17, 1968)

A. Legislative History

Hearings on Department of Defense appropriations for fiscal 1969 were held before a subcommittee of the House Committee on Appropriations intermittently from February 14 to May 13, 1968. The record of the hearings was printed in 6 parts totaling 4,421 pages. Hearings in these appropriations were held before a subcommittee of the Senate Committee on Appropriations at intervals from May 6 to September 18, 1968. The record of these hearings was printed in 5 parts totaling 2,809 pages.

H.R. 18707, making appropriations to the Department of Defense, was reported in the House, from the Committee on Appropriations, on July 18, 1968 by Representative George H. Mahon, of Texas (H. Rept. 1735). The bill passed the House on September 12, 1968. It was reported in the Senate from the Committee on Appropriations, on September 19, 1968 (S. Rept. 1576). It passed the Senate, amended, and the Senate asked for a conference, on October 3, 1968. On October 7, 1968, the House agreed to a conference. The conference report was filed on October 10, 1968 (H. Rept. 1970). The House and Senate both agreed to the conference report on October 11, 1968. The act was approved by the President on October 17, 1968 and became Public Law 90–580.

B. Summary of Some of the Appropriations Affecting Education and Training

Education and training are very largely involved in activities of the Department of Defense. However, funds made available to the Department for educational and training purposes generally are not separately identified in this act. Following is a list of some of the appropriations to the Department of Defense for fiscal 1969 which, clearly from this act, may be used, at least in part, to support educational and/or training programs:

Reserve personnel, Army	$287, 200, 000
Reserve personnel, Navy	125, 000, 000
Reserve personnel, Marine Corps	31, 100, 000
Reserve personnel, Air Force	71, 800, 000
National Guard personnel, Army	304, 500, 000
National Guard personnel, Air Force	88, 000, 000
Operation and maintenance, Army	7, 805, 000, 000
Operation and maintenance, Navy	5, 356, 200, 000
Operation and maintenance, Marine Corps	435, 700, 000
Operation and maintenance, Air Force	6, 551, 000, 000
Operation and maintenance, defense agencies	1, 036, 800, 000
Operation and maintenance, Army National Guard	264, 664, 000
Operation and maintenance, Air National Guard	267, 000, 000
Claims, defense	38, 000, 000
Procurement of equipment and missiles, Army	5, 031, 400, 000

C. TEXT OF CERTAIN PARTS OF THE ACT

Following is the text of certain parts of Public Law 90-580 which, clearly from this act, may be used, at least in part, to support educational and/or training activities, or which, clearly from this act, affect education and/or training.

AN ACT Making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes 82 Stat. 1120.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1969, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of Defense Appropriation Act, 1969.

TITLE I

* * * * *

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265 and 3033 of title 10, United States Code, or while undergoing reserve training or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; $287,200,000.

70A Stat. 11; 81 Stat. 524. 82 Stat. 1121.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; $125,000,000.

70A Stat. 11.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve and the Marine Corps platoon leaders class on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, as authorized by law; $31,100,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force, Reserve on active duty under section 265 or 8033 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Air Reserve Officers' Training Corps, as authorized by law; $71,800,000.

81 Stat. 525.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 265, 3033, or 3496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; $304,500,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

81 Stat. 524.
70A Stat. 198, 614.
70A Stat. 599.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; $88,000,000; *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

70A Stat. 524.
82 Stat. 1122.

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TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; recruiting expenses; transportation services; communications, services; maps and similar data for military purposes; military surveys and engineering planning; repair of facilities; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; and not to exceed $4,690,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $7,805,000,000, of which not less than $280,000,000 shall be available only for the maintenance of real property facilities.

Operation and Maintenance, Navy

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, including aircraft and vessels; modification of aircraft, missiles, missile systems, and other ordnance; design of vessels; training and education of members of the Navy; administration; procurement of military personnel; hire of passenger motor vehicles; welfare and recreation; medals, awards, emblems, and other insignia; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; medical and dental care; care of the dead; charter and hire of vessels; relief of vessels in distress; maritime salvage services; military communications facilities on merchant vessels; dissemination of scientific information; administration of patents, trademarks, and copyrights; annuity premiums and retirement benefits for civilian members of teaching services; tuition, allowances, and fees incident to training of military personnel at civilian institutions; repair of facilities; departmental salaries; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement of services, special clothing, supplies, and equipment; installation of equipment in public or private plants; exploration, prospecting, conservation, development, use, and operation of the naval petroleum and oil shale reserves, as authorized by law; and not to exceed $14,000,000 for emergency and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval and authority of the Secretary and his determination shall be final and conclusive upon the accounting officers of the Government; $5,356,200,000, of which not less than $155,600,000 shall be available only for maintenance of real property facilities, and not to exceed $1,490,000 may be transferred to the appropriation for "Salaries and expenses", Environmental Science Services Administration, Department of Commerce, for the current fiscal year for the operation of ocean weather stations.

70A Stat. 442.

Operation and Maintenance, Marine Corps

82 Stat. 1128.

For expenses, necessary for the operation and maintenance of the Marine Corps including equipment and facilities; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement and manufacture of military supplies, equipment, and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems, and other insignia; operation of station hospitals, dispensaries and dental clinics; and departmental salaries; $435,700,000, of which not less than $22,661,000 shall be available only for the maintenance of real property facilities.

Operation and Maintenance, Air Force

For expenses, not otherwise provided for, necessary for the operation, maintenance, and administration of the Air Force, including the Air Force Reserve and the Air Reserve Officers' Training Corps; operation, maintenance, and modification of aircraft and missiles; transportation of things; repair and maintenance of facilities; field printing plants; hire of passenger motor vehicles; recruiting advertising expenses; training and instruction of military personnel of the Air Force, including tuition and related expenses; pay, allowances, and travel expenses of contract surgeons; repair of private property and other necessary expenses of combat maneuvers; care of the dead; chaplain and other welfare and morale supplies and equipment; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for enlisted men and patients not otherwise provided for; awards and decorations; industrial mobilization, including maintenance of reserve plants and equipment and procurement planning; special services by contract or otherwise; and not to exceed $3,311,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $6,551,000,000, of which not less than $250,000,000 shall be available only for the maintenance of real property facilities, and not to exceed $210,000 may be transferred to the appropriation for "Salaries and expenses", Environmental Science Services Administration, Department of Commerce, for the current fiscal year, for the operation of the Marcus Island upper-air station.

Operation and Maintenance, Defense Agencies

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), including administration; hire of passenger motor vehicles; welfare and recreation; awards and decorations; travel expenses, including expenses of temporary duty travel of military personnel; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; care of the dead; dissemination of scientific information; administration of patents, trademarks, and copyrights; tuition and fees incident to the training of military personnel at civilian institutions; repair of facilities; departmental salaries; procurement of services, special clothing, supplies, and equipment; field printing plants; information and educational services for the Armed Forces; communications services; and not to exceed $3,390,500 for emergency and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense for such purposes as he deems appropriate, and his determination

82 Stat. 1124.

thereon shall be final and conclusive upon the accounting officers of the Government; $1,036,800,000, of which not less than $13,721,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personal services in the National Guard Bureau and services of personnel of the National Guard employed as civilians without regard to their military rank, and the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709), and those necessary to provide reimbursable services for the military departments, may be such as is deemed necessary by the Secretary of the Army; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia, as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $264,664,000, of which not less than $1,900,000 shall be available only for the maintenance of real property facilities: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

70A Stat. 614.

70A Stat. 599.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, of Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; $267,000,000, of which not less than $2,750,000 shall be available only for the maintenance of real property facilities: *Provided*, That the number of caretakers authorized to be employed under the provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force and such caretakers may be employed without regard to their military rank as members of the Air National Guard: *Provided further*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

82 Stat. 1125.

Claims, Defense

For payment, not otherwise provided for, of claims authorized by law to be paid by the Department of Defense (except for civil functions), including claims for damages arising under training contracts with carriers, and repayment of amounts determined by the Secretary concerned, or officers designated by him, to have been erroneously collected from military and civilian personnel of the Department of Defense, or from States, territories, or the District of Columbia, or members of National Guard units thereof; $38,000,000.

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TITLE III—PROCUREMENT

Procurement of Equipment and Missiles, Army

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps; purchase of not to exceed four thousand seven hundred and twenty-four passenger motor vehicles (including seven medium sedans at not to exceed $3,000 each) for replacement only; expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government-owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; $5,031,400,000, and in addition, $510,000,000, of which $360,000,000 shall be derived by transfer from the Army stock fund and $150,000,000 shall be derived by transfer from the Defense stock fund, to remain available until expended: *Provided*, That funds available under this heading shall be available to the extent of $284,600,000 without regard to prior provisions relating to the Nike–X antiballistic missile system.

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TITLE V—General Provisions

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72 Stat. 1459; 76 Stat. 511.
Dependents' schooling.
64 Stat. 1100; 79 Stat. 27; 81 Stat. 783.

Sec. 506. Appropriations for the Department of Defense for the current fiscal year shall be available, (a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, in amounts not exceeding $112,400,000, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents; (b) for expenses in connection with administration of occupied areas; (c) for payment of rewards as authorized for the Navy by section 7209(a) of title 10, United States Code, for information leading to the discovery of missing naval property or the recovery thereof; (d) for payment of deficiency judgments and interests thereon arising out of condemnation proceedings; (e) for leasing of building and facilities including payment of rentals for special purpose space at the seat of government and, in the conduct of field exercises and maneuvers or, in administering the provisions of 43 U.S.C. 315q, rentals may be paid in advance; (f) payments under contracts for maintenance of tools and facilities for twelve months beginning at any time during the fiscal year; (g) maintenance of Defense access roads certified as important to national defense in accordance with section 210 of title 23, United States Code; (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code, and the cost of milk so purchased, as determined by the Secretary of Defense, shall be included in the value of the commuted ration; (i) transporting civilian clothing to the home of record of selective service inductees and recruits on entering the military services; (j) payments under leases for real or personal property for twelve months beginning at any time during the fiscal year.

82 Stat. 1130.

70A Stat. 442.

Occupied areas.

Deficiency judgments.

Leasing.

56 Stat. 654.

Tools, maintenance.

Access roads.

72 Stat. 908.

Milk program.

68 Stat. 900.

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Legal training, restriction.

Sec. 517. None of the funds provided in this Act shall be available for training in any legal profession nor for the payment of tuition for training in such profession: *Provided*, That this limitation shall not apply to the off-duty training of military personnel as prescribed by section 521 of this Act.

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Tuition payments, etc., restriction.

Sec. 521. No appropriation contained in this Act shall be available for the payment of more than 75 per centum of charges of educational institutions for tuition or expenses for off-duty training of military personnel, nor for the payment of any part of tuition or expenses for such training for commissioned personnel who do not agree to remain on active duty for two years after completion of such training.

ROTC, loyalty requirements.

Sec. 522. No part of the funds appropriated herein shall be expended for the support of any formally enrolled student in basic courses of the senior division, Reserve Officers' Training Corps, who has not executed a certificate of loyalty or loyalty oath in such form as shall be prescribed by the Secretary of Defense.

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40. FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION ACT, 1969: APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–581, approved October 17, 1968)

A. Legislative History

Hearings on "Foreign Assistance and Related Agencies Appropriations for 1969" were held before a subcommittee of the House Committee on Appropriations intermittently from March 25 to May 24, 1968. The record of the hearings was printed in two parts totaling 1,864 pages.

On September 19, 1968, H.R. 19908, a bill making appropriations for foreign assistance and related agencies for fiscal 1969, was reported in the House, from the Committee on Appropriations, by Representative Otto E. Passman, of Louisiana (H. Rept. 1906). The bill passed the House on September 19, 1968.

On September 23, 24, 25 and 26, 1968 hearings on H.R. 19908 were held before the Senate Committee on Appropriations. The record of the hearings was printed in a volume of 291 pages.

H.R. 19908 was reported in the Senate on September 27, 1968 (S. Rept. 1595). It passed the Senate, amended, and the Senate asked for a conference on October 4, 1968. The House agreed to a conference on October 7, 1968. The conference report was filed on October 10, 1968 (H. Rept. 1969). The House agreed to the conference report on October 10, 1969. The Senate agreed to the conference report on October 11, 1969. The act was approved on October 17, 1969 and became Public Law 90–581.

B. Summary of Certain Appropriations Affecting Education and Training

Education and training are widely involved in foreign assistance, but funds made available for education and training purposes are generally not separately identifiable in this act. Following is a list of some of the appropriations which may be used in part for such purposes:

Technical cooperation and development grants	$167,000,000
American schools and hospitals abroad	14,600,000
American schools and hospitals abroad (special foreign currency program)	5,100,000
International organizations and programs	125,000,000
Supporting assistance	365,000,000
Alliance for Progress	81,500,000
Military assistance	375,000,000
Peace Corps	102,000,000
Department of the Army, civil functions, Ryukyu Islands administration	20,772,000
Department of Health, Education, and Welfare assistance to refugees in the United States	69,774,000

C. Text of Certain Appropriations Affecting Education and Training

Following is the text of certain appropriations made by Public Law 90–581 which may be used in whole or in part for educational or training purposes.

AN ACT Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes

82 Stat. 1137.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Foreign Assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes, namely:

Foreign Assistance and Related Agencies Appropriation Act, 1969.

TITLE I—FOREIGN ASSISTANCE

Funds Appropriated to the President

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, to remain available until June 30, 1969, unless otherwise specified herein, as follows:

ECONOMIC ASSISTANCE

75 Stat. 424.
22 USC 2151 note.

Technical cooperation and development grants: For expenses authorized by section 212, $167,000,000: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress.

Ante, p. 960.

American schools and hospitals abroad: For expenses authorized by section 214(c), $14,600,000.

American schools and hospitals abroad (special foreign currency program): For assistance authorized by section 214(d), $5,100,000 in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

International organizations and programs: For expenses authorized by section 302(a), $125,000,000: *Provided*, That the President shall seek to assure that no contribution to the United Nations Development Program authorized by the Foreign Assistance Act of 1961, as amended, shall be used for projects for economic or technical assistance to the Government of Cuba, so long as Cuba is governed by the Castro regime: *Provided further*, That no part of this appropriation shall be used to initiate any project, activity, or program which has not been justified to the Congress.

Ante, p. 962.
Assistance to Cuba, restriction.

International organizations and programs: For expenses authorized by section 302(d), $1,000,000.

International organizations and programs, loans: For expenses authorized by section 302(b), $12,000,000, to remain available until expended.

Indus Basin Development.
81 Stat. 454.
22 USC 2222.
Ante, p. 962.

Supporting assistance: For expenses authorized by section 402, $365,000,000.

Contingency fund: For expenses authorized by section 451(a), $5,000,000.

Ante, p. 961.

Alliance for Progress, technical cooperation and development grants: For expenses authorized by section 252(a), $81,500,000, of which not less than $350,000 shall be available only for the Partners of the Alliance: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress.

82 Stat. 1138.
22 USC 2213.

Alliance for Progress, development loans: For expenses authorized by section 252(a) $255,000,000 together with such dollar amounts as are authorized to be made available for assistance under section 253, all such amounts to remain available until expended.

Ante, p. 960.
22 USC 2163.

Development loans: For expenses authorized by section 202 (a), $300,000,000, together with such amounts as are authorized to be made available for expenses under section 203, all such amounts to remain available until expended: *Provided*, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended.

22 USC 2165.
Ante, p. 965.

Administrative expenses: For expenses authorized by section 637(a), $51,000,000.

22 USC 2397.

Administrative and other expenses: For expenses authorized by section 637(b) of the Foreign Assistance Act of 1961, as amended, and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, $3,500,000.

22USC 1613d.
Unobligated balances, continued availability.
68 Stat. 830.
31 USC 200.
Notifications of congressional committees.

Unobligated balances as of June 30, 1968, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law are hereby continued available for the fiscal year 1969, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance", and hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

MILITARY ASSISTANCE

Ante, p. 962.
Ante, p. 965.

Military assistance: For expenses authorized by section 504(a) of the Foreign Assistance Act of 1961, as amended, including administrative expenses authorized by section 636(g) (1) of such Act, which shall not exceed $21,000,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States, $375,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States: *Provided further*, That none of the funds appropriated in this paragraph shall be used to furnish sophisticated weapons systems, such as missle systems and jet aircraft for military purposes, to any underdeveloped country, unless the President determines that the furnishing of such weapons systems is important to the national security of the United States and reports within thirty days each such determination to the Congress: *Provided further*, That the military assistance program for any country shall not be increased beyond the amount justified to the Congress, unless the President determines that an increase in such program is essential to the national interest of the United States and reports each such determination to the House of Representatives and the Senate within thirty days after each such determination.

Assistance to underdeveloped countries, restriction.

Reports to Congress.

* * * * *

TITLE II—FOREIGN ASSISTANCE (OTHER)

Funds Appropriated to the President

PEACE CORPS

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, including purchase of not to exceed five passenger motor vehicles for use outside the United States, $102,000,000, of which not to exceed $29,500,000 shall be available for administrative expenses.

22 USC 2501 note.

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

82 Stat. 1142.

Ryukyu Islands, Army

ADMINISTRATION

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government of the Ryukyu Islands, as authorized by the Act of July 12, 1960 (74 Stat. 461), as amended (81 Stat. 363); services as authorized by 5 U.S.C. 3109, of individuals not to exceed ten in number; not to exceed $4,000 for contingencies for the High Commissioner to be expended in his discretion; hire of passenger motor vehicles and aircraft; purchase of four passenger motor vehicles for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances, $20,772,000, of which not to exceed $3,272,000 shall be available for administrative and information expenses: *Provided*. That expenditures

80 Stat. 416.

from this appropriation may be made outside continental United States when necessary to carry out its purposes, without regard to sections 355 and 3648, Revised Statutes, as amended, section 4774 (d) of title 10, United States Code, civil service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as may be prescribed by the Secretary of the Army to pay ocean transportation charges from United States ports, including territorial ports, to ports in the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such areas: *Provided further*, That the President may transfer to any other department or agency any function or functions provided for under this appropriation, and there shall be transferred to any such department or agency, without reimbursement and without regard to the appropriation from which procured, such property as the Director of the Bureau of the Budget shall determine to relate primarily to any function or functions so transferred: *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

40 USC 255.
31 USC 529.
70A Stat. 269.

* * * * *

Department of Health, Education, and Welfare

ASSISTANCE TO REFUGEES IN THE UNITED STATES

For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87–510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, $69,774,000: *Provided*, That funds from this appropriation shall be transferred to the Secretary of State to cover the costs incurred by the Department of State in connection with the movement of refugees from Cuba to the United States: *Provided further*, That $1,800,000 of this appropriation shall be transferred to the current appropriation for "Contingency fund", Agency for International Development.

76 Stat. 121.
22 USC 2601 note.
82 Stat. 1143.
80 Stat. 416.

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41. SUPPLEMENTAL APPROPRIATION ACT, 1969: APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–608, approved October 21, 1968)

A. Legislative History

Hearings on the "Supplemental Appropriation Bill, 1969," were held before Subcommittees of the House Committee on Appropriations on October 2, 3 and 4, 1968. The record of the hearings was printed in a volume of 375 pages.

On October 7, 1968, H.R. 20300, the "Supplemental Appropriation Act, 1969," was reported from the Committee on Appropriations by Representative George H. Mahon, of Texas (H. Rept. 1953). The bill passed the House on October 9, 1968. It was reported in the Senate, from the Committee on Appropriations, on October 9, 1968 (S. Rept. 1667). It passed the Senate, amended, on October 10, 1968. The Senate asked for a conference, and the House agreed to a conference, on October 10, 1968. The conference report was filed on October 11, 1968 (H. Rept. 1972). The House and Senate both agreed to the conference report on October 11, 1968. The act was approved on October 21, 1968 and became Public Law 90–608.

B. Summary of Appropriations Affecting Education and Training

Public Law 90–608 makes a number of appropriations which affect education or training or may be used in whole or in part for educational or training programs. However the funds made available for these purposes are not in all instances separately identifiable in this act. Following are some of the appropriations which affect education or training or may be used wholly or partly for such purposes.

Department of Agriculture, Extension Service	$75,000
Department of Housing and Urban Development: College housing	3,000,000
Department of the Interior, Bureau of Indian Affairs: Education and welfare services	1,452,000
Department of Health, Education, and Welfare, Office of Education	1,000,000
Legislative branch:	
Education of pages	18,581
Library of Congress	200,000
Treasury Department: Eisenhower college grants	5,000,000

C. Text of Provisions Affecting Education and Training

Following is the text of certain provisions of Public Law 90–608 affecting education or training.

AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes

82 Stat. 1190.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1969") for the fiscal year ending June 30, 1969, and for other purposes namely:

Supplemental Appropriation Act, 1969.

CHAPTER I

DEPARTMENT OF AGRICULTURE

Extension Service

COOPERATIVE EXTENSION WORK, PAYMENTS AND EXPENSES

Payments to States and Puerto Rico

For an additional amount for "Payments to States and Puerto Rico", for payments for extension work under section 109 of the District of Columbia Public Education Act, as amended by the Act of June 20, 1968 (Public Law 90–354), $75,000.

Ante, p. 241.

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CHAPTER III

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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Renewal and Housing Assistance

COLLEGE HOUSING

The total payments that may be required in any fiscal year by all contracts for annual grants with educational institutions entered into pursuant to section 401 of the Housing Act of 1950, as amended (82 Stat. 604), shall not exceed $3,000,000.

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CHAPTER V

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $1,452,000.

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CHAPTER VI

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

There shall be available in an amount not to exceed $1,000,000 for necessary expenses for planning and implementation of the

Handicapped Children's Early Education Assistance Act, Public Law 90-538, to be derived from funds available for the purposes of Title III, Elementary and Secondary Education Act, as amended. *Ante, p. 901 81 Stat. 788 20 USC 841-848.*

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CHAPTER VII

LEGISLATIVE BRANCH

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Education of Pages

For an additional amount for "Education of pages", $18,581.

Library of Congress

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $200,000.

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CHAPTER XI

TREASURY DEPARTMENT

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Eisenhower College Grants

For matching grants for the construction of educational facilities at Eisenhower College, as authorized by law, $5,000,000, to remain available until expended.

42. AMENDMENT OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

(Public Law 90-640, approved October 25, 1968)

A. Legislative History

S. 2012, a bill to amend the District of Columbia Public School Food Services Act, was introduced (by request) on June 26, 1967 by Senator Alan Bible, of Nevada. The bill was referred to the Committee on the District of Columbia. It was reported in the Senate on October 6, 1967 (S. Rept. 585). It passed the Senate on October 10, 1967, and was referred to the House Committee on the District of Columbia on October 11, 1967.

Hearings on S. 2012 were held before Subcommittee No. 5 of the House Committee on the District of Columbia on July 19, 1968. The record of the hearings was printed in a volume of 42 pages. S. 2012 was reported in the House on September 19, 1968 (H. Rept. 1915). It passed the House, amended, on October 9, 1968. The Senate agreed to the House amendment on October 11, 1968. The act was approved on October 25, 1968 and became Public Law 90-640.

B. DIGEST OF THE ACT

The act authorizes direct appropriations to pay the cost of salaries of employees of the District of Columbia school lunch program and thereby relieve the Food Services Fund from such labor costs. It provides funds necessary for school lunches for needy children in the secondary schools in the District. The Act avoids any further increase in cost of school lunches to school children. It prevents imminent substantial deficits in the Food Services Fund.

C. TEXT OF THE LAW

Following is the text of Public Law 90–640.

82 Stat. 1363.

AN ACT To amend the District of Columbia Public School Fund Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes

D.C. Public School Fund Services Act, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(d) of the District of Columbia Public School Food Services Act (65 Stat. 368; D.C. Code, sec. 31–1402) is amended by striking out "at rates of pay to be fixed by said Board without reference to the Classification Act of 1949," and inserting in lieu thereof a period and the following: "The Commissioner of the District of Columbia shall fix and adjust, from time to time, the rates of pay of such personnel in accordance with the rates of pay of personnel in positions of similar levels of duties, responsibilities, and qualification requirements, as determined by the Commissioner."

Food Services Fund.

SEC. 2. The last sentence of section 5 of the District of Columbia Public School Food Services Act (65 Stat. 369; D.C. Code, sec. 31–1404) is amended to read as follows: "The Food Services Fund shall be available for the payment of all expenses, other than personal services, necessary for the operation of the Department of Food Services, to the extent that appropriations, other than appropriations for personal services, are not available or are insufficient to pay such expenses in the fiscal year concerned."

72 Stat. 1735.

SEC. 3. Section 6 of the District of Columbia Public School Food Services Act (65 Stat. 369; D.C. Code, sec. 31–1405) is amended to read as follows:

"SEC. 6. Appropriations are authorized for the payment of compensation for all personal services necessary for the operation of the Department of Food Services and for the acquisition, maintenance, and replacement of equipment for use in that operation.".

Food Services employees, compensation. Funds.

SEC. 4. Unobligated funds, not to exceed $148,000, appropriated to the general fund of the government of the District of Columbia for the fiscal year ending June 30, 1968, may be used to increase the compensation of employees in the Department of Food Services in the public schools of the District of Columbia, for the period beginning February 11, 1968, and ending June 30, 1968.

Retroactive pay.
Conditions.

SEC. 5. (a) Retroactive pay is authorized for the period beginning on February 11, 1968, and ending on the date on which adjustments in rates of pay are officially ordered by the Commissioner of the District of Columbia as a result of the enactment of this Act; but such retroactive pay shall be paid only—

(1) in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date on which such adjustments in rates of pay are so ordered;

(2) to a former employee within the classes of employees whose pay is adjusted, by official order of the Commissioner of the District of Columbia as a result of the enactment of this Act, who retired during the period beginning on February 11, 1968, and ending on the date on which such adjustments in rates of pay are so ordered, for services rendered during such period; and

80 Stat. 495.
5 USC 5581–5583.

(3) in accordance with subchapter VIII of chapter 55 of title 5, United States Code, relating to settlement of accounts of deceased employees, for services rendered, during the period beginning on February 11, 1968, and ending on the date on which such adjustments in rates of pay are so ordered, by a former employee within the classes of employees whose pay is adjusted by official order of the Commissioner of the District of Columbia as a result of the enactment of this Act, who died during such period.

82 Stat. 1364.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the government of the District of Columbia.

Effective dates.

SEC. 6. (a) The preceding sections of this Act shall become effective as of July 1, 1968.

80 Stat. 592;
81 Stat. 219, 646–648.
5 USC 8701–8716.

(b) For the purposes of determining the amount of insurance for which an individual is eligible under chapter 87 of title 5, United States Code, relating to group life insurance for Government employees, all adjustments in rates of pay, which are officially ordered by the Commissioner of the District of Columbia as a result of the enactment of this Act and which become effective in any period prior to the date on which such adjustments in rates of pay are so ordered, shall be held and considered to become effective on the date on which such adjustments are so ordered.

CHAPTER IV. SUMMARY OF THE LEGISLATION

A. BILLS REPORTED FROM THE COMMITTEE ON LABOR AND PUBLIC WELFARE

In 1968 the Committee on Labor and Public Welfare considered many bills wholly or partly concerning education or training. Enactments which, in the earlier form of bills, were reported from that Committee included the following:

1. Public Law 90–304, approved May 13, 1968, which authorizes the State of Ohio to use the proceeds from the sale of certain lands for educational purposes.
2. Public Law 90–348, approved June 18, 1968, which authorizes a program of contracts with groups or individuals engaged in certain artistic activities, including those promoting scholarship and teaching.
3. Public Law 90–391, approved July 7, 1968, the Vocational Rehabilitation Amendments of 1968, largely involving education and training.
4. Public Law 90–407, approved July 18, 1968, the National Science Foundation Act Amendments, including several amendments specifically concerning education and training.
5. Public Law 90–431, approved July 26, 1968, which provides for part-time vocational rehabilitation training for service-connected disabled veterans.
6. Public Law 90–445, approved July 31, 1968, the Juvenile Delinquency Prevention and Control Act of 1968, which largely involves education, training and educational institutions.
7. Public Law 90–477, approved August 11, 1968, which authorizes appropriations for the sea-grant colleges and programs.
8. Public Law 90–490, approved August 16, 1968, the Health Manpower Act of 1968, which is mainly concerned with training.
9. Public Law 90–574, approved October 15, 1968, which contains provisions respecting: (a) training for rehabilitation of narcotic addicts, and (b) supplementation of veterans' benefits with scholarships or student loans under the Public Health Service Act.
10. Public Law 90–575, approved October 16, 1968, the Higher Education Amendments of 1968, which amends and extends a number of laws relating to higher education (including the National Defense Education Act, the Higher Education Facilities Act, and the Higher Education Act) and establishes new programs in the field of higher education.
11. Public Law 90–576, approved October 16, 1968, the Vocational Education Amendments of 1968, which rewrites and expands previous vocational education legislation.
12. Public Law 90–611, approved October 21, 1968, which extends felicitations to Saint Louis University in connection with its 150th anniversary.

13. Public Law 90–631, approved October 23, 1968, which increases veterans' educational assistance eligibility, and extends educational aid to widows and wives of certain veterans.

14. Public Law 90–636, approved October 24, 1968, which amends the Manpower Development and Training Act of 1962 and adds new sections.

B. BILLS REPORTED FROM OTHER COMMITTEES OF THE SENATE, OR NOT REPORTED IN THE SENATE

Enactments concerning education and training which, in the earlier form of bills, were not reported in the Senate, or were reported from committees other than the Committee on Labor and Public Welfare, during 1968, are listed below. Some of these bills, or similar bills, were considered by the Committee on Labor and Public Welfare as here indicated.

1. Public Law 90–252, approved February 3, 1968, which increases the amounts authorized for Indian adult vocational education.

2. Public Law 90–264, approved March 12, 1968, which contains certain provisions specifically relating to students and to education.

3. Public Law 90–276, approved March 28, 1968, which conveys certain U.S. property to the Alabama space science exhibit.

4. Public Law 90–277, approved March 29, 1968, which designated the second week of May 1968 as "National School Safety Patrol Week."

5. Public Law 90–279, approved March 30, 1968, which conveys certain school lands to the Cherokee Nation.

6. Public Law 90–280, approved March 30, 1968, which amends earlier legislation so as to permit the use of Federal funds for the education of Indian students in accredited sectarian schools offering vocational and technical education.

7. Public Law 90–292, approved April 22, 1968, which provides for the election of members of the Board of Education of the District of Columbia.

8. Public Law 90–302, approved May 8, 1968, the National School Lunch Act Amendments, which strengthens and expands food service programs for children.

9. Public Law 90–307, approved May 17, 1968, which authorizes the Secretary of Agriculture to release a condition in a conveyance of certain lands to the University of Maine.

10. Public Law 90–316, approved May 24, 1968, which provides for the issue of commemorative medals to the California Institute of the Arts, founded for instruction in the creative and performing arts.

11. Public Law 90–319, approved May 27, 1968, which increases salaries of officers and teachers of the public schools of the District of Columbia.

12. Public Law 90–350, approved June 19, 1968, the Treasury, Post Office and Executive Office Appropriation Act, 1969, which contains certain provisions referring specifically to training and research.

13. Public Law 90–351, approved June 19, 1968 (Title I, Part D—Training, Education, Research, Demonstration and Special Grants), which provides for training, education and research to promote more effective law enforcement.

14. Public Law 90–354, approved June 20, 1968, which establishes the District of Columbia Federal City College as a land-grant college.

15. Public Law 90–373, approved July 3, 1968, the National Aeronautics and Space Administration Authorization, 1969, which contains provisions affecting education and training.

16. Public Law 90–374, approved July 5, 1968, which increases the number of congressional alternates authorized to be nominated for each vacancy at the Service Academies.

17. Public Law 90–376, approved July 5, 1968, which authorizes the trustees of the National Gallery of Art to construct a building or buildings on a prescribed site.

18. Public Law 90–392, approved July 9, 1968, which makes certain supplemental appropriations usable for education or training.

19. Public Law 90–396, approved July 11, 1968, the Standard Reference Data Act, which provides for a standard reference data program, in which academic institutions will participate.

20. Public Law 90–415, approved July 23, 1968, which increases the size of the board of directors of Gallaudet College.

21. Public Law 90–416, approved July 23, 1968, which extends the duration of copyright protection in certain cases.

22. Public Law 90–417, approved July 23, 1968, the Legislative Branch Appropriation Act, 1969, which contains some provisions affecting education.

23. Public Law 90–425, approved July 26, 1968, the Department of the Interior and Related Agencies Appropriations, 1969, which makes certain appropriations affecting education and training.

24. Public Law 90–460, approved August 3, 1968, which extends student loan assistance programs. (The Committee on Labor and Public Welfare held hearings in 1968 relative to such legislation.)

25. Public Law 90–463, approved August 8, 1968, the Department of Agriculture and Related Agencies Appropriation Act, 1969, which contains several large appropriations affecting education and training.

26. Public Law 90–464, approved August 8, 1968, the Department of Transportation Appropriation Act, 1969, which contains certain provisions concerning education and training.

27. Public Law 90–470, approved August 9, 1968, the Departments of State, Justice and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1968, which contains some provisions affecting education and training.

28. Public Law 90–473, approved August 10, 1968, which appropriates funds for education in the District of Columbia for fiscal 1969.

29. Public Law 90–489, approved August 16, 1968, which establishes a National Eye Institute and authorizes it to provide training and instruction.

30. Public Law 90–494, approved August 20, 1968, which establishes a corps for the training and career service of the U.S. Information Agency's top foreign service officers.

31. Public Law 90–526, approved September 28, 1968, which provides for a White House Conference on Aging, to make recommendations and plan action for specified purposes, including training and research. (The Special Subcommittee on Aging of the Committee on Labor and Public Welfare held hearings on a joint resolution to provide for a White House Conference on Aging.)

32. Public Law 90–528, approved September 28, 1968, which provides for the striking of medals in commemoration of the 100th anniversary of the founding of Dartmouth College.

33. Public Law 90–538, approved September 30, 1968, which authorizes preschool and early education programs for handicapped children.

34. Public Law 90–550, approved October 4, 1968, the Administrative Offices and Department of Housing and Urban Development Appropriation Act, 1969, which contains a number of appropriations affecting education and training.

35. Public Law 90–554, approved October 8, 1968, the Foreign Assistance Act of 1968, which widely involves education and training.

36. Public Law 90–557, approved October 11, 1968, the Department of Labor and Health, Education and Welfare Appropriations Act for Fiscal 1969, which makes appropriations for a number of programs concerned wholly or partly with education or training.

37. Public Law 90–563, approved October 12, 1968, which provides for support of construction of educational facilities at Eisenhower College.

38. Public Law 90–577, approved October 16, 1968, the Intergovernmental Cooperation Act of 1968, which is especially applicable to intergovernmental cooperation in the field of education.

39. Public Law 90–580, approved October 17, 1968, the Department of Defense Appropriation Act, 1969, which includes certain appropriations for educational and training purposes.

40. Public Law 90–581, approved October 17, 1968, the Foreign Assistance and related Agencies Appropriation Act, 1969, which includes certain appropriations affecting education and training.

41. Public Law 90–608, approved October 21, 1968, the Supplemental Appropriation Act, 1969, which includes certain supplemental appropriations affecting education and training.

42. Public Law 90–640, approved October 25, 1968, which amends the District of Columbia Public School Food Services Act.

CHAPTER V. PRESIDENTIAL RECOMMENDATIONS AND STATEMENTS CONCERNING EDUCATION AND TRAINING, 1968

Numerous public utterances by President Johnson in 1968 contained references to education or training, or to schools, colleges, teachers, students, scholars, or other terms associated with education or training. A number of his messages to Congress and public addresses related in whole or in part to legislation concerning education or training.

Following are the texts of certain recommendations to Congress and statements relating to education and training expressed by President Johnson and published in the weekly compilation of Presidential Documents, January 1, to December 30, 1968. The purpose of this compilation is to bring together in one place in chronological order his principal recommendations and statements representative of his thinking on this subject. The compilation does not include all of his relevant, published remarks.

In some instances the quotations on the following pages are excerpts from larger messages or statements, which are identified in this document and are available to persons interested in reading the complete texts.

1. Federal Aid to College Students

Statement by the President in Response to Report by the Secretary of Health, Education, and Welfare on Current Programs. January 2, 1968

Nearly one and a quarter million young Americans are continuing their education beyond high school with the help of four Federal financial aid programs.

During the present academic year, these students will receive about $1 billion in financial support, according to a report made by John W. Gardner, Secretary of Health, Education, and Welfare, to the President today.

"These figures reflect a national commitment: that all young people, regardless of financial situation, must have an opportunity for higher education to the limit of their ability and their ambitions," the President said.

The four programs, administered by the U.S. Office of Education, are: the national defense student loan program, guaranteed loan programs for college and vocational students, the college work-study program, and educational opportunity grants program.

The Secretary cited these figures:

—Under the national defense student loan program an estimated 405,000 students will receive loans during the current school year. Total funds available for loans during this academic year are some $250 million, including matching funds which colleges are required to put up at the rate of $1 for every $9 in Federal funds.

The 1,730 participating institutions are in all 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. The program provides for low-interest loans to needy, academically able students in colleges, universities, business schools, or technical institutes.

—Guaranteed loans are authorized by the Higher Education Act of 1965 and the National Vocational Student Loan Insurance Act of 1965. During the current year, an estimated 560,000 students will borrow some $465 million in low-interest loans under both programs. Students may obtain low-interest loans from private lending institutions which are guaranted against loss.

—Under the college work-study program more than 310,000 students attending 1,800 colleges and universities are expected to participate during calendar year 1968. They will benefit from an estimated $140 million in Federal funds expected to be obligated for the program in the current fiscal year. The program provides funds to help pay salaries of students who need jobs to stay in school.

—Under the educational opportunity grants program some 222,000 students are receiving grants totaling some $110 million in the present school year. The grants are for students of exceptional financial need who would be unable to go to college without help.

(The number of students receiving aid under the four programs add up to more than 1,250,000 because some participate in more than one program.)

NOTE: The statement was released at San Antonio, Texas.

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2. ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

Statement by the President Upon Signing the Bill Into Law. January 2, 1967

Nearly 3 years ago, at a little wooden schoolhouse a half mile down the road from here, I signed the first Elementary and Secondary Education Act. I considered that moment one of the greatest victories of my life—because passing that law was one of the hardest battles of my life.

Federal aid to education has been argued for 20 years. It had divided some good friends into hostile, opposing factions.

But we got it passed. I felt then and I feel now—that if the word "historic" has any meaning at all, this law deserved to be called historic.

Today we renew our investment in America's future by extending the Education Act.

This law has brought new help to all American school-children—especially the poorest.

It has brought special educational and health services to 9 million of our poorest children.

It has created 3,600 new school libraries. Almost nine out of ten schoolchildren were helped by new teaching materials purchased during the first year of its library program.

It has launched, all over the Nation, more than 2,200 exciting new education projects outside the classroom. Nearly 17 million children are being made richer.

It has established 20 new regional laboratories for basic research in education: to explore the ways children learn and to improve the ways teacher teach.

This bill authorizes a new effort to prevent dropouts, new programs for handicapped children, new planning help for rural schools. It also contains a special provision establishing bilingual education programs for children whose first language is not English. Thousands of children of Latin descent, young Indians, and others will get a better start—a better chance—in school.

Today we celebrate not only the renewal and extension and improvement of this law—not only 3 years of progress in education; we also celebrate the fact that the great programs passed by the 89th Congress have come of age. They have been tested in practice. They are working. They have begun to improve life for millions of Americans. And they have survived the trials and battles of Congress.

When the 90th Congress convened last year, there were some who predicted that the programs launched by the 89th Congress would be stopped in their tracks, turned back, and destroyed.

Some prophets feared that would happen—and others hoped it would happen!

Well, both of those views have been proven wrong. The 90th Congress was not as productive as I urged it to be. It left an agenda of unfinished business. But it did not turn back or halt or destroy the progress we have begun—not one single Great Society measure was repealed. The American people have spoken up on behalf of health and education and conservation and social progress. Their voices will not be ignored.

Medicare is a fact—and an unchallenged success.

The war on poverty, the model cities act, a whole range of consumer laws, dozens of measures which 3 years ago were only ideas; these programs live, and their promise lives.

The greatest of these is education—without which no other progress is possible.

We can cite educational statistics. We can publish reports and columns of numbers. But there is only one way, really, to measure the full scope and meaning of this law, and that is in the lives of children.

What this law means is that we are now giving every child in America a better chance to touch his outermost limits—to reach the farthest edge of his talents and his dreams. We have begun a campaign to unlock the full potential of every boy and girl—regardless of his race or his religion or his father's income.

That is what we started 32 months ago out in front of the Junction School and that is what we are going to continue, even though we will be somewhat restricted in the next year because of our international and fiscal problems.

So today, as I sign this bill, I repeat what I told those who were there that day: "No law I have signed or will ever sign means more to the future of America."

NOTE: The statement was released at San Antonio, Texas. As enacted, the bill (H.R. 7819) is Public Law 90-247.

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3. VOCATIONAL AND TECHNICAL EDUCATION PROGRAMS

Statement by the President on Report by the Secretary of Health, Education, and Welfare. January 5, 1967

More than 7.5 million Americans of all ages are now being trained for skilled jobs through federally supported vocational and technical education programs, a report to the President from Secretary John Gardner shows.

Present enrollments represent an increase of about 600,000 students over the last school year and an increase of 1.5 million in the past 2 years, Secretary Gardner reported.

"Helping a man or woman learn the skills needed to secure a good job is one of our important tasks," the President said.

"The vocational training partnerships between Federal, State, and local governments prepares skilled workers to become self-supporting to contribute many times over to the wealth of our Nation."

Secretary Gardner said the U.S. Office of Education, which administers the programs, estimates that the 7.5 million enrollment includes: 3.7 million in high school programs, 600,000 in post-secondary school programs, and about 3 million adults.

Another 200,000 students are in special programs for school dropouts and especially disadvantaged trainees.

Federal, State, and local governments will spend more than 1 billion dollars for vocational education during the present fiscal year. Of this amount, Federal funds will account for more than $255 million. The balance represents State and local matching funds.

Vocational education programs, operated through the regular local school systems of the country, are offered in a wide variety of occupations to both young people and adults below the college degree level. These are in addition to special manpower and other emergency training programs.

Enrollments by occupational area include 638,000 in distribution and marketing, 135,000 in health occupations, almost 2 million in home economics, over 1.8 million in office and business, 1 million in agriculture, almost 330,000 in technical fields, and 1.6 million in trades and industry.

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4. CIVIL RIGHTS

The President's Message to the Congress. January 24, 1968

To the Congress of the United States:

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EDUCATION FOR ALL

We confront this challenge squarely in the area of education.

Our Nation is committed to the best possible education for all our children. We are also committed to the constitutional mandate that prohibits segregated school systems.

Some maintain that integration is essential for better education. Others insist that massive new investments in facilities and teachers alone can achieve the results we desire.

We continue to seek both goals: better supported—and unsegregated—schools.

Thus far, we can claim only a qualified success for our efforts:

—We still seek better methods to teach disadvantaged youngsters—to awaken their curiosity, stimulate their interest, arouse their latent talent, and prepare them for the complexities of modern living.

—We still seek better methods to achieve meaningful integration in many of the various communities across our land—in urban ghettoes, in rural counties, in suburban districts.

But our lack of total success should spur our efforts, not discourage them.

In the last year many States, cities, communities, school boards and educators have experimented with new techniques of education, and new methods of achieving integration. We have learned much from these experiments. We shall learn much more.

We do know that progress in education cannot be designed in Washington, but must be generated by the energies of local school boards, teachers and parents. We know that there is no single or simple answer to the questions that perplex us. But our National goals are clear: desegregated schools and quality education. They must not be compromised.

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5. THE BUDGET MESSAGE

The President's Message to the Congress Transmitting the Budget for Fiscal Year 1969. January 29, 1968

To the Congress of the United States:

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EDUCATION.—As a nation we are committed to develop the skills and talents of all our citizens. The Federal Government is playing an increasingly important role in this effort.

The 90th Congress added the Education Professions Development Act of 1967 to the historic laws enacted in 1965 providing Federal aid to education—the Elementary and Secondary Education Act, the Higher Education Act, and the National Foundation on the Arts and Humanities Act. We now have basic legislation to improve education at all levels. Our task is to use these tools wisely and imaginatively, directing them to the areas of greatest need or potential.

For 1969, I propose that the Federal Government continue in its determination to help make high-quality education available to all of America's young people. The budget includes:

—$1.2 billion in grants for improving the elementary and secondary education of over 9 million children from low-income families;

—An expanded Teacher Corps;

—Increased grants for schooling of children with physical and mental handicaps which hinder learning for 1 child in 10;

- —A new program to better the achievement of children whose native language is not English; and
- —More than two million grants, loans, and part-time work opportunities for college students, including benefits under the GI bill.

America's children must be prepared for the challenges of the future. To help them meet these challenges, we must explore the ways students learn and improve the ways teachers teach through:

- —Increases in education research, demonstrations, and curriculum development, including an experiment in model schools in the District of Columbia;
- —A new $30 million program to prevent dropouts; and
- —Innovations in training for the education profession through new patterns of operation and new ties among colleges and universities, States, and local schools.

In order to meet these urgent requirements within a stringent overall budget, several programs have been reduced or deferred, including grants for construction of academic facilities and purchase of school equipment.

I intend to propose legislation this year to:

- —Improve Federal support to higher education by providing greater flexibility in administering student aid, providing counseling and tutoring for disadvantaged students, and encouraging schools to share libraries, computers, and other resources.
- —Support innovative projects in vocational education, particularly to aid the disadvantaged.
- —Provide advance financing for the newly authorized Corporation for Public Broadcasting.

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6. OUR PRIDE AND OUR STRENGTH: AMERICA'S SERVICEMEN AND VETERANS

The President's Message to the Congress. January 30, 1968

To the Congress of the United States:

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JOBS AND TRAINING

Military Programs

A man who has fought for his country deserves gratitude. But gratitude can be no substitute for the job he wants—and needs.

Particularly is it necessary to assure job opportunities to the veteran who has received few other advantages from life. It is this man who must be the focus of our concern and our attention.

We are beginning.

We are helping him as he enters the Armed Forces—through Project 100,000—and as he prepares to muster out—in Project Transition.

Project 100,000 extends the responsibilities of citizenship and the benefits of military training to young men who would otherwise be rejected because of educational or physical limitations.

This program was launched at my direction by the Secretary of Defense in late 1966.

In the first year, almost 50,000 disadvantaged young Americans were prepared in Army classrooms and clinics to take their place in basic training.

The results of their special training speak in these statistics:

—96 percent graduated from basic training, almost the same rate for all trainees,

—Some have gone on to Non-Commissioned Officer schools.

All have gained self-confidence and a sense of achievement which will serve them all the years of their lives.

I have asked the Secretary of Defense to enroll 100,000 men in this vital program during its second year.

Project Transition gives a boost to disadvantaged men in the six months before they return to civilian life.

Men without civilian skills and without education receive a concentrated program of preparation. In classrooms and at work benches, through counseling and job placement services, they are prepared for the road home.

I have asked the Secretary of Defense to extend Project Transition—proven in practice at five bases last year—to all principal troop installations in the United States. Our target is to reach 500,000 servicemen in the year ahead and then follow their progress in civilian life.

7. The Economic Report for 1968

The President's Annual Message to the Congress. February 1, 1968
To the Congress of the United States:

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EMPLOYMENT AND TRAINING

More Americans entered the labor force last year than in any year since World War II. And these job seekers were accommodated to a remarkable degree.

—The over-all unemployment rate averaged 3.8 percent as it did in 1966. Except for the years of World War II and the Korean war, this two-year average was the best in four decades.

—The unemployment rate for adult men—both white and Negro—was the lowest since World War II.

Yet there is no room for complacency in these achievements. The unemployment rate for Negroes, Mexican-Americans, and other minorities remains distressingly high, and far too many of our teenagers look for work and fail to find it.

We have already made impressive progress in improving job opportunities—through the Neighborhood Youth Corps, the Job Corps, our other manpower training and retraining programs, provision of daycare facilities for working mothers, and in many other ways.

Increasingly our efforts are concentrated on the disadvantaged who have been unable to share in our prosperity. In continuing partnership with State and local governments, we will expand our training and related manpower activities, with special emphasis on an enlarged Concentrated Employment program.

But this year the Federal Government is also seeking a new partnership with private industry to train and hire the disadvantaged. I believe this partnership can succeed—and must—in providing work opportunities for every American who wants a job and who will make reasonable efforts to prepare himself to hold it.

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EDUCATION

The Federal Government has done more to improve educational opportunities in the past three years than in all its previous history. In particular, attention has been focused on providing opportunities for children to throw off their legacy of poverty. Head Start, the Elementary and Secondary Education Act, and higher education legislation stand as landmarks of our progress.

One key program for 1968—based on the Education Professions Development Act of last year—gives special emphasis to the single most important element in the educational process—our teachers. We must attract more teachers to work with disadvantaged youth, and help such teachers develop the new skills and new sensitivities needed to teach the children from poor families.

I shall propose an Educational Opportunity Act—continuing our efforts to break down the financial barriers which keep young people from poor families from entering or remaining in college.

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8. THE FIFTH FREEDOM

The President's Message to the Congress on Education.
February 5, 1968

To the Congress of the United States:

In two centuries, America has achieved—through great effort and struggle—one major educational advance after another: free public schooling; the Land Grant Colleges; the extension of the universities into the Nation's farms and homes; the unique venture that has placed a high school education within the reach of every young person.

I believe that our time—the mid-1960's—will be remembered as a time of unprecedented achievement in American education.

The past four years have been a time of unparalleled action:

—The Congress has approved more than 40 laws to support education from the preschool project to the postgraduate laboratory;

—The Federal Government has raised its investment in education to nearly $12 billion annually, almost triple the level four years ago.

The real significance of what we have done is reflected, not in statistics, but in the experiences of individual Americans, young and old, whose lives are being shaped by new educational programs.

Through Head Start, a four-year-old encounters a new world of learning.

Through Title I of the Elementary and Secondary Education Act, a disadvantaged youngster finds essential extra help—and school becomes a more rewarding place.

Through the Teacher Corps, a bright and eager college graduate is attracted to teaching and his talents are focused where the need is greatest.

These programs—all of them new—are enriching life for millions of young Americans.

In our high schools, students find that once-empty library shelves are filled; the most up-to-date laboratory equipment is available; new courses, new methods of teaching and learning are being tested in the classroom.

A student who sets his sights on college is more likely than ever before to find help through Federal loans, scholarships and work-study grants.

Today's college student is more likely than ever to live and learn in new dormitories, new classrooms, new libraries and laboratories.

Today, thousands of parents who in their youth had no chance for higher education can say with certainty, "My child can go to college."

Above all, we can see a new spirit stirring in America, moving us to stress anew the central importance of education; to seek ways to make education more vital and more widely available.

That new spirit cannot be fully measured in dollars or enrollment figures. But it is there nonetheless. The achievements of the past four years have sustained and nourished it.

Yet for all our progress, we still face enormous problems in education: stubborn, lingering, unyielding problems.

The phrase, "equal educational opportunity," to the poor family in Appalachia and to the Negro family in the city, is a promise—not a reality.

Our schools are turning out too many young men and women whose years in the classrooms have not equipped them for useful work.

Growing enrollments and rising expenses are straining the resources of our colleges—and the strain is being felt by families across America.

Each of these problems will be difficult to solve. Their solution may take years—and almost certainly will bring new problems. But the challenge of our generation is to lead the way.

And in leading the way, we must carefully set our priorities. To meet our urgent needs within a stringent overall budget, several programs must be reduced or deferred. We can reduce expenditures on construction of facilities and the purchase of equipment. But, many of our urgent educational programs which directly affect the young people of America cannot be deferred. For the cost—the human cost—of delay is intolerable.

These principles underline my 1969 budgetary recommendations and the proposals in this message. My recommendations are tailored to enable us to meet our most urgent needs, while deferring less important programs and expenditures.

ELEMENTARY AND SECONDARY EDUCATION

It took almost a century of effort and controversy and debate to pass the Elementary and Secondary Education Act.

The great question was this: Can there be a system of large-scale aid to education which does not diminish the independence of our local schools and which safeguards the rich diversity of American education?

In 1965 such a law was passed. Today it is at work in nearly 20,000 school districts: strengthening State and local school boards, local school officials and classroom teachers, and improving the quality of education for millions of children.

It may take a decade or more to measure the full benefits of the Elementary and Secondary Education Act. But already evidence is mounting to support my belief that this is the most significant education measure in our history.

Last year, Congress extended this law, the bedrock of all our efforts to help America's schools.

This year we have an opportunity to make that law a more efficient instrument of aid to education; to make it more responsive to the needs of the States and communities throughout the country.

I urge the Congress to fund Title I of the Elementary and Secondary Education Act well in advance of the school year, so that State and local school officials can make their plans with a clear idea of the resources that will be available.

Our resources are not unlimited—and never will be. So it is all the more important that in assigning priorities, we focus our aid where the need is greatest.

That firm principle underlies a six-point program which I am proposing to Congress under the Elementary and Secondary Education Act and other authorities:

1. Two innovative programs to help America's youngest and poorest children have been proven in practice. *I propose that funding for the Head Start and Head Start Follow Through programs be stepped-up from $340 million to $380 million.*

2. Last year, Congress authorized a special program to help Mexican-American, Puerto Rican and other children who are separated by a language barrier from good education. *I propose that we launch this bilingual education program with a $5 million appropriation.*

3. We are still doing less than we should do to prepare mentally retarded and physically handicapped children for useful lives. *I propose that our special programs for the handicapped be increased from $53 million to $85 million.*

4. We must rescue troubled boys and girls before they drop out of school. *I propose full funding—$30 million—for a new Stay in School program, which will help schools tailor their own programs, from new and exciting methods of instruction to family counseling and special tutoring, to turn potential drop-outs into high school graduates.*

5. Upward Bound, a program for poor but talented students, has directed thousands of young Americans into college who might otherwise never have had a chance. *I propose that Congress increase funds for Upward Bound to serve 30,000 young Americans this year.*

6. Adult basic education classes last year gave about 300,000 men and women an opportunity to gain new earning power, new self-respect, a new sense of achievement. *I propose that Congress provide $50 million for this vital program.*

If we can invest vast sums for education, we must also be able to plan and evaluate our education programs; to undertake basic research in teaching and learning, and to apply that research to the classroom. For these efforts, *I propose appropriations of $177 million next year.*

NEW STRENGTH FOR VOCATIONAL EDUCATION

Whatever else we expect of the local school, we demand that it prepare each student for a productive life. The high school graduate who does not enter college needs not only knowledge enough to be a responsible citizen, but skills enough to get and keep a good job.

One and a half million young men and women will leave high school and enter the labor force this year—in a time of high employment, when skills are at a premium.

Too many of them will find that they have no job skills—or only marginal skills, or skills which are not really needed in their communities.

A high school diploma should not be a ticket to frustration.

We must do more to improve vocational education programs. We must help high schools, vocational schools, technical institutes, and community colleges to modernize their programs, to experiment with new approaches to job training. Above all, we must build stronger links between the schools and their students, and local industries and employment services, so that education will have a direct relationship to the world the graduating student enters.

I recommend that Congress enact the Partnership for Learning and Earning Act of 1968.

This new program—streamlining and strengthening our vocational education laws—will:

—Give new flexibility to our system of matching grants, so the States can concentrate their funds where the need is greatest;

—Provide $15 million for special experimental programs to bridge the gap between education and work, for alliances between schools, employment services and private employers, for new summer training programs combining work and education;

—Totally revise and consolidate our existing vocational education laws, reducing paperwork for the States, the schools and other training centers;

—Encourage the States to plan a long-range strategy in vocational education.

TRAINED PROFESSIONALS FOR OUR SCHOOLS

The value of all these measures—and indeed, the effectiveness of our entire school system—depends on educators: teachers, teacher aides, administrators and many others.

It would profit us little to enact the most enlightened laws, to authorize great sums of money—unless we guarantee a continuing supply of trained, dedicated, enthusiastic men and women for the education professions.

To advance this essential purpose, I propose

—That Congress provide the funds needed to train nearly 45,000 teachers, administrators and other professionals under the Education Professions Development Act of 1967.

—That Congress authorize and appropriate the necessary funds so that 4,000 of our best and most dedicated young men and women can serve our neediest children in the Teacher Corps.

HIGHER EDUCATION

The prosperity and well-being of the United States—and thus our national interest—are vitally affected by America's colleges and universities, junior colleges and technical institutes.

Their problems are not theirs alone, but the Nation's.

This is true today more than ever. For now we call upon higher education to play a new and more ambitious role in our social progress, our economic development, our efforts to help other countries.

We depend upon the universities—their training, research and extension services—for the knowledge which undergirds agricultural and industrial production.

Increasingly, we look to higher education to provide the key to better employment opportunities and a more rewarding life for our citizens.

As never before, we look to the colleges and universities—to their faculties, laboratories, research institutes and study centers—for help with every problem in our society and with the efforts we are making toward peace in the world.

STUDENT AID

It is one of the triumphs of American democracy that college is no longer a privilege for the few. Last fall, more than 50 percent of our high school graduates went on to college. It is our goal by 1976 to increase that number to two-thirds.

In the past four years, we have significantly eased the financial burden which college imposes on so many families. Last year, more than one student in five attended college with the help of Federal loans, scholarships, grants and work-study programs.

But for millions of capable American students and their families, college is still out of reach. In a nation that honors individual achievement, financial obstacles to full educational opportunity must be overcome.

I propose the Educational Opportunity Act of 1968:

—To set a new and sweeping national goal: that in America there must be no economic or racial barrier to higher education; that every qualified young person must have all the education he wants and can absorb.

—To help a million and a half students attend college next year through the full range of our student aid programs, including guaranteed loans.

—To strengthen the Guaranteed Loan Program by meeting the administrative costs of the banks who make these loans. With a service fee of up to $35 for each loan, this program can aid an additional 200,000 students next year, bringing the total to 750,000.

—To provide $15 million for new programs of tutoring, counseling and special services so that the neediest students can succeed in college.

—To unify and simplify several student aid programs—College Work-Study, Educational Opportunity Grants and National Defense Education Act Loans—so that each college can devise a flexible plan of aid tailored to the needs of each student.

AID TO INSTITUTIONS OF HIGHER LEARNING

Today, higher education needs help.

American colleges and universities face growing enrollments, rising costs, and increasing demands for services of all kinds.

In 10 years, the number of young people attending college will increase more than 50 percent; graduate enrollments will probably double.

Our first order of business must be to continue existing Federal support for higher education.

I urge the Congress to extend and strengthen three vital laws which have served this nation well:

—*The National Defense Education Act of 1958*, which has helped nearly two million students go to college and graduate school.

—*The Higher Education Facilities Act of 1963*, which has helped nearly 1,400 colleges and universities meet growing enrollments with new classrooms, laboratories and dormitories.

—*The Higher Education Act of 1965*, which, in addition to its student aid programs, has strengthened college libraries, involved our universities in community service, and given new vitality to 450 developing colleges.

I also urge the Congress to fulfill the commitment it made two years ago, and appropriate funds needed for the International Education Act. This Act will strengthen our universities in their international programs—and ultimately strengthen the quality of the men and women who serve this country abroad.

We must apply more effectively the educational resources we have. We must encourage better cooperation between the Nation's colleges and universities; and we should move to increase each institution's efficiency by exploiting the most advanced technology.

To serve these purposes, *I recommend the Networks for Knowledge Act of 1968.*

This pilot program will provide new financial incentives to encourage colleges and universities to pool their resources by sharing faculties, facilities, equipment, library and educational television services. It will supplement the effort launched last year by the National Science Foundation to explore the potential of computers in education.

I also recommend three new measures to strengthen graduate education in America.

First, we should increase the Federal payment available to help graduate schools meet the cost of educating a student who has earned a Federal Fellowship. At present, Federal Fellowship programs are actually deepening the debt of the graduate schools because this payment is too low.

Second, we should launch a new program to strengthen those graduate schools with clear potential for higher quality. With enrollments growing, we must begin to enlarge the capacity of graduate schools. This program will underwrite efforts to strengthen faculties, improve courses and foster excellence in a wide range of fields.

Third, I urge the Congress to increase government sponsored research in our universities. The knowledge gained through this research truly is power—power to heal the sick, educate the young, defend the nation, and improve the quality of life for our citizens.

A STRATEGY FOR HIGHER EDUCATION

The programs I am presenting to the Congress today are aimed at solving some of the problems faced by our colleges and universities and their students in the years ahead. But accomplishing all these things will by no means solve the problems of higher education in America.

To do that, we must shape a long-term strategy of Federal aid to higher education: a comprehensive set of goals and a precise plan of action.

I am directing the Secretary of Health, Education, and Welfare to begin preparing a long-range plan for the support of higher education in America.

Our strategy must:

—Eliminate race and income as bars to higher learning.

—Guard the independence of private and public institutions.

—Ensure that State and private contributors will bear their fair share of support for higher education.

—Encourage the efficient and effective use of educational resources by our colleges and universities.

—Promote continuing improvement in the quality of American education.

—Effectively blend support to students with support for institutions.

Such a strategy will not be easy to devise. But we must begin now. For at stake is a decision of vital importance to all Americans.

EDUCATION AND THE QUALITY OF LIFE

Every educational program contributes vitally to the enrichment of life in America. But some have that enrichment as their first goal. They are designed not to serve special groups or institutions, but to serve all the American people.

We have tested in the past three years a new idea in government: The National Foundation on the Arts and Humanities.

That experiment has been an impressive success. It has proved that government can indeed enhance the Nation's cultural life and deepen the understanding of our people.

—With modest amounts of money, The Humanities Endowment has promoted scholarship in a wide range of fields and quickened public interest in the humanities.

—The Arts Endowment has brought new energy and life to music, drama, and the arts in communities all over America.

I believe the Foundation has earned a vote of confidence. *I urge that the National Foundation on the Arts and Humanities authorization be extended.*

We have acted also to launch an historic educational force in American life: public broadcasting—non-commercial radio and television service devoted first and foremost to excellence.

Last year the Congress authorized the Corporation for Public Broadcasting. This year we must give it life.

I recommend that the Congress appropriate the funds needed in fiscal 1968 and fiscal 1969 to support the initial activities of the Corporation for Public Broadcasting.

Last year I stressed the importance of a long-range financing plan which would ensure that public broadcasting would be vigorous, independent and free from political interference or control. The problem involved is complex. It concerns the use of the most powerful communications medium in the world today. It should not be resolved without the most thorough study and consultation.

I am asking the Secretary of Health, Education, and Welfare, the Secretary of the Treasury and the Director of the Bureau of the Budget—who have been studying this problem since the law was enacted—to work with the Board of Directors of the Corporation for Public Broadcasting and the appropriate Committees of the Congress to formulate a long-range financing plan that will promote and protect this vital new force in American life.

THE FIFTH FREEDOM

On January 6, 1941, President Franklin D. Roosevelt set forth to Congress and the people "four essential human freedoms" for which America stands.

In the years since then, those four freedoms—freedom of speech, freedom of worship, freedom from want, and freedom from fear—have stood as a summary of our aspirations for the American Republic and for the world.

And Americans have always stood ready to pay the cost in energy and treasure which are needed to make those great goals a reality.

Today—wealthier, more powerful and more able than ever before in our history—our Nation can declare another essential human freedom.

The fifth freedom is freedom from ignorance.

It means that every man, everywhere, should be free to develop his talents to their full potential—unhampered by arbitrary barriers of race or birth or income.

We have already begun the work of guaranteeing that fifth freedom.

The job, of course, will never be finished. For a nation, as for an individual, education is a perpetually unfinished journey, a continuing process of discovery.

But the work we started when this Nation began, which has flourished for nearly two centuries, and which gained new momentum in the past two Congresses—is ours to continue—yours and mine.

LYNDON B. JOHNSON.

THE WHITE HOUSE,
February 5, 1968.

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9. TO INSURE THE PUBLIC SAFETY

The President's Message to the Congress on Crime and Law Enforcement. February 7, 1968

To the Congress of the United States:

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3. *Federal assistance for education and training of law enforcement officials.*

Law enforcement means more than putting on a uniform. It means learning about the Constitution, about our laws, about weaponry, about people. It means keeping up to date as our knowledge grows and our techniques and equipment improve. Many local law enforcement agencies cannot now supply the advanced training our men need.

Because this training and education are so essential, I propose that the Safe Streets Bill as originally recommended be amended to:

—Authorize the Federal Bureau of Investigation to expand its training programs for State and local law enforcement personnel, both in the field and at the FBI National Academy at Quantico.

—Provide more substantial financial assistance to State and local law enforcement agencies to develop their own training programs.

—Establish a specific program of fellowships, student loans and tuition aid for State and local law enforcement officers.

—Create a National Institute of Law Enforcement and Criminal Justice to develop a major Federal research program for the application of the most advanced science and technology to law enforcement.

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10. NATIONAL ENDOWMENT FOR THE ARTS

The President's Message to the Congress Transmitting the Endowment's Annual Report for Fiscal 1967. February 8, 1968

To the Congress of the United States:

I am pleased to transmit the Annual Report of the National Endowment for the Arts for Fiscal Year 1967—the first full year of its existence.

The report offers abundant proof that the Endowment has made good use of its resources. With the advice and recommendations of the members of the National Council on the Arts, the Endowment has:

—Opened new opportunities for creative writers, art students, and visual and performing artists;

—Created three Laboratory Theatres—in Los Angeles, New Orleans, and Providence—for the presentation of professional theatre to secondary school students and the adult community;

—Assisted 17 resident professional theatres across the Nation;

—Initiated the first American Literary Anthology, representing the finest work appearing in literary magazines;

—Helped major museums expand their audiences and provide more services to their communities;

—Launched a program to enhance the environment of American cities with outstanding works of sculpture in outdoor public places;

—Created a new program to aid American composers and symphony orchestras;

—Stimulated the production and nationwide distribution of programs on the arts for educational television;

—Rendered financial and technical assistance to agencies for the arts in 50 States, and District of Columbia, Guam, the Virgin Islands, and Puerto Rico enabling them to implement 295 new or expanded arts projects.

Throughout Fiscal Year 1967, the National Endowment for the Arts worked closely with private foundations, organizations and individuals, seeking to increase appreciation and support of the arts in the United States.

Since the Endowment was created, Federal grants totaling $10.5 million have been made. These Federal grants have been supplemented by nearly $16 million in contributions from States and cities, and from private agencies and individuals—dramatic evidence of the widespread support which now exists for those whose talent and genius enrich the life of our country.

The National Endowment for the Arts has made great progress toward realizing the mandate given it by the Congress to improve the quality of American life.

I transmit with pride this report of the Endowment's first full year of activities and urge the Congress to act promptly to extend the authorization for the National Endowment for the Arts.

LYNDON B. JOHNSON.

THE WHITE HOUSE,
February 8, 1968.

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11. BENITO JUAREZ SCHOLARS

The President's Remarks to a Group of the Scholars in the Cabinet Room. February 9, 1968

Secretary Oliver, distinguished students:

I welcome all of you to the White House, especially the young lady in the corner representing Panama among the 23 scholars.

It was nearly 2 years ago, in April 1966, that I spent a memorable day with President Diaz Ordaz in Mexico City.

One idea which emerged from our long conversations was a program for scholarships for students in our own hemisphere the Abraham Lincoln Scholarships offered by Mexico to students from the United States and other Latin American countries and the Benito Juarez Scholarships offered by the United States to students from Latin America.

A year later in April 1967 we met with the Presidents of the Americas at the summit in Punta del Este. It was there that we pledged that we would give education a new priority in this hemisphere.

We said in our Declaration at Punta del Este "We will vigorously promote education for development. Education at all levels will be greatly expanded."

Our meeting here today then is part of that effort—a sign that the work we began in Mexico City and Punta del Este is beginning now to bear fruit.

Here in our own country from fiscal year 1961 when we spent $19.3 billion for health, education, welfare and social security and from the fiscal year 1964 when I became President when we spent $23 billion 200 million for these subjects this year the budget contains $46 billion 700 million—more than twice what we were spending in 1964 and considerably more than twice what we were spending in 1961.

This is what we are doing here in this country.

We must carry on this work to the other countries in the hemisphere if we are to conquer the enemies of the hemisphere—ignorance, illiteracy, and disease.

While we may not be more than doubling our expenditures for health, education, welfare, and social security in the hemisphere as yet, you Benito Juarez Scholars are proof that we recognize the importance of education.

You are among the many who will study at universities here and then return home as teachers and as leaders to bring forth the effort in your country that we have brought forth in ours in the last 4 years.

Next week in Venezuela the Inter-American Cultural Council will meet to discuss the work that we began in Punta del Este.

A great educator and a great friend of Latin America will head the United States Delegation to that meeting—Dr. Milton Eisenhower, former president of Johns Hopkins University.

The delegates to that meeting will discuss some urgent and difficult questions. Some of these questions will be:

How can we stamp out illiteracy once and for all?

How can we make our universities more efficient and more responsive to their societies?

How can we enlist the blessings of science and technology, especially television and the satellites, in the cause of educating our people?

Those questions will occupy us for years to come. Statesmen and education ministers can meet and talk and begin to answer them. But the real answers are in the hands of you who will be teachers.

As Henry Adams wrote: "A teacher affects eternity. He can never tell where his influence stops."

The real hope of expanding democracy, of spreading knowledge, of achieving economic progress, is the hope that you bring to your Hemisphere.

I wish all of you well in your studies and in your work back home. I pledge to you the enduring friendship, the encouragement and the support of the people of the United States. For we believe as you believe, that men must have freedom to learn, and they must have learning to be free.

What we want for our own country we want for all of our friends in the Americas. We hope for it and we will work for it everyplace in the world. Good luck and God bless all of you.

[At this point, Mario Blacutt Mendoza of Bolivia spoke, thanking the President on behalf of the scholars. The President resumed speaking, as follows:]

Just a few years ago I was teaching in a school a few miles from where Secretary Oliver lived. I started looking for him after I became President. I found he had moved out and had wound up here at the University of Pennsylvania. So today you are in a room with two former teachers. I hope the same thing doesn't happen to you that happened to us. [*Laughter*]

NOTE: The President spoke at 1:32 p.m. in the Cabinet Room at the White House. The Scholars, who will attend a number of universities in this country, were accompanied by Covey T. Oliver, Assistant Secretary of State for Inter-American Affairs.

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12. HEALTH IN AMERICA

The President's Message to the Congress Including Five New Major Goals in His Recommendations. March 4, 1968

To the Congress of the United States:

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HEALTH MANPOWER

Several years ago, this Nation set out to encourage the training of more doctors, nurses and medical technicians.

As the result of the imaginative programs recommended by the Administration and approved by the Congress over the last five years,

—An additional 100,000 doctors, nurses, dentists, laboratory technicians, and other health workers are being trained this year to meet the health needs of our growing population.

—More than 850 medical, dental and nursing schools have enlarged their capacity or improved their instruction.

This rate of progress is encouraging. But our increasing population and the demand for more and better health care swell the need for doctors, health professionals and other medical workers.

Yet we lack the capacity to train today those who must serve us tomorrow.

To train more health workers and to train them better and faster, *I propose the Health Manpower Act of 1968.*

This Act will extend and strengthen five vital measures which are due to expire in June 1969:

(1) *The Health Educational Act of 1963* will be reinforced to:

—Provide new classrooms, laboratories and libraries needed to train more doctors and other health professionals.

—Authorize new operating and project grants which will encourage the schools to expand their enrollment, improve their curricula, and reduce the length of their training.

—Extend financial aid to thousands of students each year.

—Simplify procedures so that schools can obtain funds for joint research-teaching-library projects through one application.

(2) *The Nurse Training Act of 1964* will be improved to:

—Strengthen the loan, scholarship, and traineeship program so that nearly 50,000 nursing students can be helped through school in the first year of the program.

—Encourage nursing schools to expand enrollment and overcome high attrition rates by revamping their curricula and tailoring their courses to the needs of the students.

(3) *The Health Personnel Training Act of 1966* will be continued to speed the training of paramedical personnel and other health workers by

—Constructing new classrooms.

—Improving the quality of instruction.

—Developing new curricula and methods of training.

(4) *The Health Research Act of 1965* will be amended to permit greater emphasis on the development of research facilities meeting critical regional or national needs.

(5) *The Graduate Health Training Act of 1964* will be extended to increase the number of skilled administrators and public health workers.

I urge the Congress to appropriate $290 million in fiscal 1969 to carry forward our vital health manpower programs.

This effort will be bolstered by the Veterans in Public Service Act, which I recently proposed to the Congress. Under that Act, the talents of the veteran will be enlisted for service to his community. For those who return to meet critical health manpower shortages, there will be special benefits while they are in training and on the job.

I urge the Congress to launch this program promptly so that we can bring the skills and experience of the veteran to bear on our pressing health needs.

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13. The Forgotten American

The President's Message to the Congress on Goals and Programs for the American Indian. March 6, 1968

To the Congress of the United States:

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EDUCATION

The problems of Indian education are legion:

—Ten percent of American Indians over age 14 have had no schooling at all.

—Nearly 60 percent have less than an eighth grade education.

—Half of our Indian children do not finish high school today.

—Even those Indians attending school are plagued by language barriers, by isolation in remote areas, by lack of a tradition of academic achievement.

Standard schooling and vocational training will not be enough to overcome the educational difficulties of the Indians. More intensive and imaginative approaches are needed.

The legislation enacted in the past four years gives us the means to make the special effort now needed in Indian education: The Elementary and Secondary Education Act, the Education Professions Development Act, the Vocational Education Act, and the Higher Education Act.

The challenge is to use this legislation creatively.

I have directed the Secretary of the Interior and the Secretary of Health, Education, and Welfare:

—*To work together to make these programs responsive to the needs of Indians.*

—*To develop a concentrated effort in Indian education with State and local agencies.* This is critical if the two-thirds of Indian school children in non-Indian public schools are to get the special help they sorely need.

Pre-School Programs

In the past few years we as a Nation have come to recognize the irreplaceable importance of the earliest years in a child's life. Preschool education and care—valuable for all children—are urgently needed for Indian children.

We must set a goal to enroll every four and five-year-old Indian child in a pre-school program by 1971.

For 1969, I am requesting funds to:

- *—Make the Head Start Program available to 10,000 Indian children.*
- *—Establish, for the first time, kindergartens for 4,500 Indian youngsters next September.*

To encourage Indian involvement in this educational process, I am asking the Secretary of the Interior to assure that each of these kindergartens employ local Indian teacher aides as well as trained teachers.

Federal Indian Schools

Since 1961, we have undertaken a substantial program to improve the 245 Federal Indian schools, which are attended by over 50,000 children. That effort is now half completed. It will continue.

But good facilities are not enough.

I am asking the Secretary of the Interior, in cooperation with the Secretary of Health, Education, and Welfare, to establish a model community school system for Indians. These schools will:

- —Have the finest teachers, familiar with Indian history, culture and language.
- —Feature an enriched curriculum, special guidance and counseling programs, modern instruction materials, and a sound program to teach English as a second language.
- —Serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings.

To reach this goal, I propose that the Congress appropriate $5.5 million to attract and hold talented and dedicated teachers at Indian schools and to provide 200 additional teachers and other professionals to enrich instruction, counseling and other programs.

To help make the Indian school a vital part of the Indian community, I am directing the Secretary of the Interior to establish Indian school boards for Federal Indian Schools. School Board members—selected by their communities—will receive whatever training is necessary to enable them to carry out their responsibilities.

Higher Education

Indian youth must be given more opportunities to develop their talents fully and to pursue their ambitions free of arbitrary barriers to learning and employment. They must have a chance to become professionals: doctors, nurses, engineers, managers and teachers.

For the young Indian of today will eventually become the bridge between two cultures, two languages, and two ways of life.

Therefore, we must open wide the doors of career training and higher education to all Indian students who qualify.

To reach this goal:

- *—I am requesting $3 million in Fiscal 1969 for college scholarship grants, to include for the first time living allowances for Indian students and their families to help capable young Indians meet the costs of higher education.*
- *—I am asking the Secretary of Health, Education, and Welfare to make a special and sustained effort to assure that our regular scholarship and loan programs are available to Indian high school graduates.*

—I am asking the Director of the Offie of Economic Opportunity to establish a special Upward Bound program for Indian high school students.

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14. The Nation's First City

The President's Message to the Congress on the District of Columbia. March 13, 1968

To the Congress of the United States:

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Training and Equipment for the Police Force

Last week the District of Columbia achieved a long-sought and much-needed objective. Every patrolman is now equipped with radio communications, to be in instant contact with his headquarters.

Throughout the Department, the most advanced communications networks and computers are being installed.

Modern equipment, from patrol cars to motor scooters, are also being added.

I urge the Congress to approve the budget request of $3.4 million for these and other essential crime-fighting tools.

I also urge the Congress—once again—to enact promptly the Safe Streets and Crime Control Act, which will strengthen the local police forces of all the cities of this land, including the nation's capital.

Each day's delay in enacting this vital anti-crime legislation carries a heavy cost. It can be counted in the murders, rapes and robberies that could be prevented, but are not—in the fear that could be forestalled, but is not.

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EDUCATION

Quality Education for All Children

Education is the great adventure that leads to equality of opportunity. Every child should have the benefit of an educational program shaped to his capabilities, and designed to develop his full potential.

Only the teacher in the classroom can give him this.

Teachers are in short supply, and the competition for them is intense. A good teacher finds little attraction to join or stay in a school system which demeans him with inadequate pay.

Today, among 20 comparable big city areas, the District ranks 15th in salaries for beginning teachers. This sharply reduces the District's chances of recruiting qualified teachers. And it hampers the education of Washington's 150,000 schoolchildren.

I recommend that the Congress lift the minimum starting salary for teachers in the District of Columbia to $7,000, and provide comparable increases for experienced teachers. The Mayor joins me in this recommendation.

This legislation is needed. It is essential. It will move the District from 15th to second place among the largest cities in the Nation. It will help the Nation's first city build a school system of first rank. The Mayor's supplemental program will include new revenue proposals to finance this vital community service.

The District Schools and the Community—A Model for the Nation

How can the schools of our central cities serve their pupils better? How can they become portals to success for more of their children? How can they reduce the number of failures and dropouts? How can they overcome the handicaps accumulated through years of neglect? How can they serve and involve the citizens of the community?

These are the critically important questions faced in the District of Columbia, as in every major city of America.

The Passow Report provides Washington with a blueprint for the total revival of its schools. It is a framework which will enable the people of the Nation's capital to build a vital and responsible school system.

I propose a major model school experiment in the District, embracing a significant area of the city. This program will:

—Revive the interest of citizens in their schools.

—Help teachers improve the skills of their profession through retraining opportunities.

—Bring to students the best in teaching methods and materials.

—Revise the curriculum to make it serve the young people of our city.

—Equip high school graduates with marketable skills.

—Seek alliances between employers and the schools.

—Give children the chance to learn at their own pace, reducing both dropouts and failures.

—Serve a section of the city where the needs of students and schools are greatest.

To support this program I have included $10 million in my 1969 budget for the Office of Education to supplement the funds providing regular support for the D.C. schools.

With these additional resources, we can launch an exciting new venture in education—to continue for the next five years—as we seek new levels of quality and service in the schools of the nation's capital. That effort can become a beacon to the school systems in the other cities of the Nation.

I expect that this effort will result in:

—New programs for preschool children.

—Special attention to individual needs in the early years when children are learning to read.

—Opportunities for high school youngsters to work and attend school at the same time.

—Improved counseling and health services for children.

—A system for teacher retraining on a regular basis.

—New levels of cooperation among the schools and other agencies serving the people of the District.

Schools and the Community

But schools will not serve children well unless they also serve the entire community. We need to develop a new concept—the Community School. It can be a place:

—for both learning and recreation.

—for adults, as well as children, serving the interests of people of all ages.

—for activities during summers and weekends and evenings.

—for reaching the family to reinforce the values the school seeks to impart.

With a small grant from the Mott Foundation of Flint, Michigan, the D.C. schools have already begun to pioneer in developing community schools.

To enlarge this effort, I am directing the Commissioner of Education to work with the D.C. school system and the community service agencies of the District to start, as part of the new model program, a large-scale community school experiment.

An Elected D.C. School Board

Community education policies cannot be developed in a vacuum. They cannot serve the people unless the people have a voice in their formulation.

As I said last summer when I proposed an elected school board for the District of Columbia:

"Washington's 150,000 schoolchildren and their parents—who now for the first time will be able to know the benefits of modern government—must also be able to exercise one of their most fundamental rights. They must have a voice which can be heard in the operation of their school system."

Both the Senate and the House have already passed bills to provide for an elected school board.

I urge final Congressional action on a bill which would:

—have the school elections correspond with the general elections.

—provide for close coordination between the Board of Education and the District Government to achieve the goal of schools as true centers of community life.

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15. NATIONAL SCIENCE FOUNDATION

Message to the Congress Transmitting the Foundation's Annual Report. March 20, 1968

To the Congress of the United States:

I am pleased to submit to the Congress the Seventeenth Annual Report of the National Science Foundation for fiscal year 1967.

This Report highlights a year of advance in exploring the frontiers of science and in educating the scientists of tomorrow. During fiscal year 1967, the Foundation has:

—Provided $220 million to support scientific research projects in every State of the Union. Some 5,500 scientists carried out this work in colleges and universities.

—Invested $123 million to improve science education at every level from elementary school through the university. These funds provided training for about 38,000 high school teachers, 5,000 elementary school teachers, and 5,000 college instructors.

The Foundation's programs have helped to unearth new information of both scientific and practical importance. For example, we have now:

—Learned more about how genes pass on hereditary characteristics. This knowledge may some day lead to control of diseases and the prevention of inherited defects.

—Neared completion at Cornell University of the world's most powerful circular electron accelerator, an atom smasher that will enable us to advance our understanding of the atom.

—Begun sea grant programs to develop knowledge and to train manpower for developing our marine resources.

—Increased support for the national weather modification program to speed the day when we can reduce losses caused by drought, hail, and violent storms.

—Supported research on a new plastic for possible use as heat shields for re-entry of space vehicles.

The National Science Foundation also continues to increase its support of social science research. A Special Commission on the Social Sciences was established by the National Science Board to provide guidance in this important area.

In my 1967 message to Congress on Health and Education, I directed the National Science Foundation, working with the Office of Education of the Department of Health, Education, and Welfare, to establish an experimental program for developing the educational potential of computers. This has been done through a newly established Office of Computing Activities. The day is not far when these exciting new machines will be contributing to the education of our people.

The Annual Report of the National Science Foundation deserves the attention of the Congress and the American people. It is proof that we are penetrating the unknown, educating new generations of scientists, and making our scientific research yield maximum value.

LYNDON B. JOHNSON.

THE WHITE HOUSE,
March 20, 1968.

NOTE: The report entitled "National Science Foundation: Seventeenth Annual Report for the Fiscal Year Ended June 30, 1967" (Government Printing Office, 219 pp.), was made available with the release.

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16. DISTRICT OF COLUMBIA ELECTED BOARD OF EDUCATION ACT

The President's Remarks Upon Signing the Bill Into Law. April 22, 1968

School Board members, City Council members, Members of the Congress, ladies and gentlemen:

Today, democracy comes a bit closer to reality here in our Nation's Capital.

Today, we meet here to give the citizens of the District of Columbia the right to elect their own school board.

In the process, we will put nine good men and women out of work. They have done a splendid job. But—as they know better than anyone—selection by Federal court is no substitute for election by the people.

Education in this city has long been the direct concern of the people. Now it becomes the people's direct responsibility.

This has been a momentous year for the District of Columbia.

We have installed a Mayor and a City Council in City Hall. The new government is responding to the needs and the hopes of the people—in day-to-day operations, and in crisis as well.

With this legislation, we will restore another basic right of popular government—the right of people to help shape the education of their children.

But this right will be hollow unless it is given strength and substance by better education.

We want to make our Capital City a showcase for the entire Nation.

We want to make the schools in the District of Columbia not just places where our children are kept, but where they can fully prepare for life and for full citizenship in this country.

We want the schools to serve all the citizens of the community, young and old alike, and serve them all year around.

We want to make the schools of the National Capital models for all the rest of America to follow.

The bill I sign today will bring us part of the way.

Now we must sustain the momentum of that progress. So I ask the Congress to give the people of the District of Columbia:

—The $155 million in the District budget to run better schools, to pay teachers better salaries, to build more and better classrooms.

—And the special $10 million appropriation to begin a new program of model community schools.

Washington should become—in every sense—a model city. It must be a place where democracy is enshrined not only in monuments, but in the lives of its people.

The people must be given the right to elect their own representatives in the Congress of the United States.

The people must be given the most basic right of all—home rule.

For almost four decades, as a resident of this first city, I have looked to the day when these rights would become reality.

Someday they will be. Of that I am sure. I am glad today we are meeting here in the Fish Room to take another step toward making them so.

Thank you very much.

NOTE: The President spoke at 5:32 p.m. in the Fish Room at the White House. As enacted, the bill (H.R. 13042) is Public Law 90–292.

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17. NATIONAL TEACHER OF THE YEAR AWARD

The President's Remarks Upon Presenting the Award to David E. Graf of Sandwich, Ill. April 30, 1968

Commissioner Howe, Senator Percy, Congresswoman Reid, Doctor Fuller, friends and families of David Graf:

I am glad that you could come here and be with us today at the White House.

I am sorry that we are running a little late. But we have had some reports this morning that delayed us and delayed the press.

It does give me an opportunity to honor a very dedicated man, as well as a very dedicated profession. I have been participating in these presentations now for some years.

It gives me an opportunity to study, as well, at close hand the Teacher of the Year. That interests me, because teachers exercise a great influence for good throughout the world and particularly in democratic societies.

The man whom we honor today is not only an outstanding teacher, but he is a very outstanding citizen.

In World War II, he earned an array of decorations—including the Purple Heart and the Bronze Star.

He founded a sheltered workshop for the mentally retarded, with this hopeful name: The Open Door.

He is a gifted amateur architect; and like most architects, he combines dreams with hard, practical common sense.

His career is building a future for young Americans—and he is going to do this by teaching them job skills and by introducing them to the world of work.

Mr. Graf is the eighteenth Teacher of the Year—and he is the first teacher of vocational education to earn this honor.

I think that it is fitting and timely—for this is a time of progress and change in vocational education.

For too many years, vocational education was the stepchild in our educational system. It was last in line for our funds, it was last in the line for our attention—and the vocational classroom was far too removed from the actual world of commerce and industry.

I remember taking a course in vocational education in my college days. I remember on the final examination I got an F. The question was: "What does the Constitution say about education?"

I wrote about six or eight pages. When I got my theme back telling them what the Constitution said about education, the professor gave me an F and wrote on it, "nothing."

So if any of you think that the Constitution charters you to do a lot in the field of education, you will have to read between the lines instead of the lines.

But since that time we have made a great deal of progress in all of our adventures into education in behalf of the Federal Government and particularly in the field of vocational education.

We are trying very hard to breathe new life and new funds into this particular field, particularly our vocational education field.

When I became President, in 1964 the States, communities, and the Federal Government all together were spending about $300 million a year for vocational education. In all of our States—$300 million a year. One dollar out of six of that was a Federal dollar.

So we were spending about $50 million a year.

Today, the Nation as a whole is spending three times as much—nearly $1 billion a year—on these programs. The Federal share has grown to not one out of every six but one out of every four. The number of students enrolled in these courses has grown to more than 7 million—a 50 percent increase since 1964.

That is a bigger increase than we have had even in our cost of living.

But real achievement depends on something besides just a lot of enrollment figures and how many dollars you are spending on something. It depends on the men—and we have met here in the Cabinet Room to pay honor to one of these dedicated men, David Graf, for his originality and his persistence.

Mr. Graf, you do us great honor by coming here. This plaque and this gold clasp symbolizing this honor we do not intend at all as gifts to you. Rather, they are recognition of your gift to the Nation and to those of us who want to see the teaching profession occupy the high place to which it is entitled.

If you will come forward now, I would like to present this to you.

NOTE: The President spoke at 1:10 p.m. in the Cabinet Room at the White House. Mr. Graf teaches vocational education and industrial arts at Sandwich Community High School, Sandwich, Ill. The award is sponsored annually by LOOK Magazine in cooperation with the Council of Chief State School Officers.

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18. VOCATIONAL INDUSTRIAL CLUBS OF AMERICA

The President's Remarks to a Group of Young People Representing VICA. May 10, 1968

I am very proud of what we have been able to do in the vocational education field.

I have observed nothing in my contacts with young people—and I have two or three groups a day, in the hope that I can learn something from them and keep contact with them, and maybe they can learn something from coming here—that pleased me more than your presentation. I don't think I have heard a better one.

The fact that you were aware that you were in the presence of Jackson, Lincoln, and Roosevelt, and tied it into the remarks you had to make, and where the wood came from, is just another indication that our school system is doing a pretty good job in this day and time.

All we hear sometimes are challenges to our future. A lot of people wonder about what our young people are doing, then we see a demonstration like you put on here this morning. It makes me think that every dollar we have invested in our schools has been returned with interest.

Yes, I served with Mr. Doughton of North Carolina for a long time. He was a great leader of the Ways and Means Committee. I have had a rather intimate association with the Members of Congress from your State. My grandfather came from your State.

I am so proud we are producing 18-year-olds in this Nation who can come in the presence of the President in the Cabinet Room and probably make a better presentation than either the President or the Members of the Cabinet. I hope the people you represent are as proud of you as I am. I hope you will tell your family what an excellent job the President thought you did.

We are very, very strong for vocational education. We are very proud of the landmark legislation we passed. Under 35 Presidents, the primary legislative matters in the educational field were in the field of vocational education, the George-Deen Act, the Smith-Hughes Act, and creating the Office of Education itself, in Andrew Johnson's time.

But when you added all of those educational matters together, you had less than you could count on your fingers in 35 previous administrations. Because the emphasis has been on learning and moving forward in the 21st century, and the need to know, driving ignorance from our midst, we have passed three times as many bills in the last 4 years in the educational field, as we did in all the other 35 administrations put together. We see that it is paying off in all of you.

Thank you.

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19. CAPITOL PAGE SCHOOL GRADUATES

The President's Remarks at the Graduation Ceremony in the White House. June 11, 1968

Dr. DeKeyser, Members of Congress, distinguished guests, Pages, and members of the Pages' families:

I am sorry that I have had to delay you, but I have been out to the hospital to visit with General Eisenhower and Justice Douglas, Senator Russell, and dozens of our fighting men who have contributed themselves, their bodies, their arms and their legs, to preserving our independence, and giving us this glorious free land of ours where we have more liberty than any people in all the world and where we have more prosperity and more of the good things in life than any other people anywhere because of

—men like General Eisenhower, who served in uniform for many years;

—men like Justice Douglas;

—and Senator Russell, who has been Chairman of the Armed Services Committee throughout all that period;

—boys from all the States of the Union, with smiles on their faces, with their chins up and their chests out, most of them wounded severely. Some of them lost an arm, some a leg, but all of them are proud of their service and welcoming the opportunity, and some of them, I am sad to say, were even saying they hoped that they could go back, because they do so much want to contribute their part to whatever their obligation as citizens happen to be.

So you young men who are here graduating this morning have completed your work at a very unique institution of learning. Next January, so shall I.

I never had the privilege of being a Page in the Congress. I was a temporary Page in the State Legislature when I was a little boy. I was a Doorkeeper in the Congress more than 35 years ago. But after 37 years in public service, next January I am going to graduate and, I hope, go back to the classroom.

I hope that most of you young men will choose some kind of a public career, too.

All my life I have said that I wanted to be a teacher or a preacher or a public servant. A little part of my life I have spent teaching; a good part of my life I have spent in the public service.

I hope that you will choose a career of public service. It is a vocation that I highly recommend for those who seek deep, personal satisfaction and who seek self-fulfillment.

You young fellows have had an insider's view of the best legislative body in all the world. Congress, I think, offers a classic example of how different kinds of people, from different sections of the country, with different colors and different educations and different backgrounds under different, conflicting pressures, can get together and work together for the common good of all.

As we meet here in the East Room of the White House this morning, a very critical time in our Nation's history, we Americans are facing exceedingly difficult questions about our country, about order, about lawlessness, about violence, and about progress. I think it is important and I think it is crucial that we make some vital distinctions and that we try to answer some of these questions that are being raised.

For instance, we must distinguish between the twisted logic of a political assassin and the inherent decency of the vast majority of the people. We must distinguish between those who reject outright our entire social and political system and hate it, and who want to destroy it, and those who are trying to use positive forces to improve, to change, and to reshape our society.

We must distinguish between compassionate understanding of our fellow citizens' problems and blind permissiveness, between the sometimes heedless impatience of youth and the need to readjust, and we do need to readjust some outworn values and change some of our traditional beliefs.

Now, this is a very difficult period. But with understanding and with perspective, we are going to see it through. There are no short cuts. There are no overnight miracles.

I think most of our people understand this. We have gone through many sad moments since that terrible day in November 1963, but our Nation pulled itself together. We united for a period. We were strong. We faced the problems that came. We had a period where we provided more solutions than any time in our history.

Now the time has come again where I hope most of our people understand. I hope they have the endurance. I hope they have the wisdom to work with—not against—those who want to progress and to move forward.

So I hope you young men will devote your energies in the years ahead to fulfillment of our promise as a great nation.

Mr. Rayburn, who was quite a hero among the Pages and among the Congress for more than half a century, used to say that any mule can kick a barn down; it takes a good carpenter to build one.

The easiest thing in the world you can do is find what's wrong with this room—the rug is not the right color, the lights are too bright, the windows are too many, the shades are too long. You can kick it down, but I hope that before you do that, you will ask yourself the question:

"Is what I say and what I do going to build my country, going to make it stronger and going to make it more united; or is it going to divide it?"

Is it going to create suspicions? Is it going to produce hate? What is going to be the effect? What are the consequences of your act?

You have been a very fortunate lot. This is a great country. The problems that we have are problems that they have in Germany, in the streets of Paris, in Italy, in Latin America, in Canada, and all over the world. The question is not the problems, but the question: How do we deal with those problems? What do we do about it?

If we sit and do nothing, we can expect no rewards. But you young men are not going to be satisfied with the status quo. You are not going to be satisfied to stand still. You must not be.

There has never been a period in our national history when the need was greater for new ideas and new solutions to old problems—

problems we have neglected for a century. We are faced with that.

In the Congress at this moment you have $78 billion worth of requests to deal with social problems—problems that the Commission on Civil Disorders recognized, problems that the Crime Commission pointed out, problems we outlined yesterday to the Eisenhower Commission on Violence, problems we reviewed with the leadership this morning.

We have a lot of sick people in this country, but the country is not sick. The country was never stronger, was never richer, never more powerful, never had as many boys and girls in school or young men and women in college, never had more resources being applied to education and health and poverty.

But that doesn't mean that we have answers to those problems. Just as we need good doctors when we have a shortage of doctors, just as we must have good pilots when we have a shortage of helicopter pilots, we have a shortage of outstanding young men and women who are needed in the city halls and the courthouses, the Congresses and the Statehouses, the Presidency, and the Cabinet itself.

I am going back home and I am going to try to help produce some of those. I may even produce some Republican public servants. It is not important, really, what party they belong to. What is important is what they stand for, what they do about it and whether they put on the uniform like the men who protect our independence.

The Fourth of July is coming up pretty soon. We are going to have many Fourth of July speeches about how great our land is and how much we appreciate our freedom, our liberty, and our independence that was won for us.

Well, let's show them how much we appreciate it. Let's do something about it. Let's build a stronger nation. Let's try to heal the wounds, instead of deepening the divisions.

Men in public life sometimes see the divisiveness and can't do anything about it. On March 31st I thought this country was divided. I didn't know how much I contributed to that divisiveness. I hoped I didn't contribute anything. I never tried to say any mean things or hateful things.

But I felt in the atmosphere that perhaps if I did not indicate that I had any personal ambition whatever, that it might somehow contribute to improving the political atmosphere and the divisions among us. This might make me better able to unite the Nation, to lead them, and ask them to stand up and rally around us instead of going off in all different directions, and it might say to the world that we were genuinely interested more in peace than in anything else.

It took a few days, but we did, finally, as a result of that proposal, go to a conference table. Ambassador Harriman, Ambassador Vance, and Secretary Rusk are, every day in every way, trying to find an answer.

You have to have more than a desire—you have to have strength. You have to have more than a hope—you have to have judgment. We are trying every way we know how to bring peace in the world. We need all the help we can get—in private life, if that is where you need to go.

I hope those of you who have this training will go into public service. There can be no more worthy, no more honorable calling. You can have no better experience for that than the experience you have had.

I congratulate you for listening to this speech which I assume will be your final speech at least as students. You have listened to a lot of speeches. If you were in the Senate you have heard some longer ones than the one I have made. If you were in the House maybe they have been under the 5-minute rule.

In any event, I congratulate you and I salute you. I express the hope that some day some of you will be standing where I am, trying to heal and to build and to lead a nation that is worthy of the very best we can produce.

Thank you very much.

NOTE: The President spoke at 12:21 p.m. in the East Room at the White House. Following his remarks, he presented diplomas to the graduates.

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20. NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION

The President's Message to the Congress Transmitting Annual Report. June 17, 1968

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the National Advisory Council on Extension and Continuing Education.

In the second year of community service and continuing education programs under the Higher Education Act of 1965, 314 colleges and universities conducted more than 600 programs in 53 states and territories. Seminars, workshops, conferences, special courses, counseling, and consultative services were sponsored throughout the country to help in meeting the complex task of improving the quality of life in our communities. The programs were designed to find new answers and to bring new skills and energies to bear on the broad spectrum of community problems—in government, education, health, manpower, housing and other areas.

Nearly half of the 425,000 participants in continuing education and community service programs were employees of state and local governments and other public bodies. The others represented a wide variety of occupations and professions, ranging from workers in private social welfare agencies to owners of small businesses. Each of these participants has gained increased knowledge of the dimensions of the community problems and acquired new skills to cope with them.

Last year, after consultation with the Council, the Administration developed and submitted legislation to the Congress to improve our Continuing Education programs under the Higher Education Act by:

—Extending the program for another five years.

—Enabling smaller colleges and universities to continue to participate.

—Providing additional funds for experimental projects.

This year, the Administration has added to the still-pending legislation a number of the suggestions made by the Council in this report, including the vital recommendation that appropriations be provided in advance of the academic year during which they will be used.

I commend this report to your attention and urge prompt action on the pending legislation to improve the important program.

LYNDON B. JOHNSON.

THE WHITE HOUSE,
June 17, 1968.

NOTE: The second annual report of the National Advisory Council on Extension and Continuing Education (processed, 42 pp.), was made available with the release.

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21. CENTRAL AMERICAN TOUR

The President's Remarks at the Lyndon B. Johnson School in San Salvador. July 7, 1968

Mr. President and Mrs. Sanchez, Señorita Pedilla, boys and girls:

It is a great pleasure to be back at school.

These colorful walls and the happy voices of you children revive many happy and bright memories for me.

Even the Latin names—Maria, Carmen, Pepe, Luis, and Carlos—ring of those days in my own native South Texas when I was a schoolteacher in a Mexican school.

My entire life has been enriched by Latin friends. So it makes me very happy to be able to come here with your great President, President Sanchez, this morning, to see a school that bears my name. *Muchas gracias, mis amigos.*

I hope many good teachers and brave leaders will launch happy and rewarding lives here. I hope they will go on to college and become productive citizens.

When I gave up teaching and went into public life, I carried with me the burden of trust that I felt my pupils had placed upon me.

I hope I have kept my students' faith.

I share your dreams.

I also know that you have many unfulfilled dreams and many unfulfilled means.

Most of the answers are here in these classrooms.

These free textbooks, this fine building, and—most important—these willing and able teachers such as yours. They offer the wisdom that can free you to live good lives. You must only work and study hard. I know how much this means to you parents—to see your children win the chance for happiness and fulfillment.

And now before I conclude my speech, I want to introduce you to one of the best teachers that I have ever known. She has been teaching me for almost 35 years—Mrs. Johnson.

Now, on behalf of the people of our country, we want to give to the people of your country this new piano.

Our hope is that the students, the teachers and the parents, and the leaders of Central America will deepen their commitment to education, the revolutionary music of democracy.

Now I am going to go over and take the cover from the piano and ask my daughter Luci to see if the piano really works.

Thank you very much. I know President Sanchez must be very proud of you boys and girls, and I know you must be very proud of President Sanchez in your country.

NOTE: The President spoke at 11:38 a.m., c.s.t., in the courtyard of the Lyndon B. Johnson School for primary grades in San Salvador, El Salvador. The two-story, eight-classroom structure was built by funds granted El Salvador following an earthquake that destroyed the small neighborhood school.

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22. CENTRAL AMERICAN TOUR

The President's Remarks at the Alberto Masferrer Normal School, San Andres, El Salvador. July 7, 1968

President Sanchez, Professor Aguillar, students, teachers, and friends:

During the past 24 hours I have been meeting with my fellow leaders of the Americas, the Presidents of Central America. We have been reviewing the progress Central America has made, and the problems Central America has encountered, since the great regional adventure began 7 years ago.

Nothing we have discussed equals in importance—or in urgency—the kind of work you are doing here.

If educational reform succeeds, then all else that we are trying to do will succeed.

If it does not succeed, and succeed swiftly, then no amount of good will or economic investment will be sufficient.

This may seem a heavy responsibility to lay upon young teachers and teachers-to-be. It may seem to you, as you stand before your class on a warm afternoon—wondering whether you can awaken the interest of your students—that the real challenges of your time are elsewhere.

Indeed, few countries have invested early enough and well enough in schools and teachers and in books. This starvation of education—with its third-class citizenship for teachers, its narrow circle of students, its dull, mechanical drilling of facts into young minds—was never good enough. It is a prescription for disaster today.

How can a democracy gather the support it needs for progressive change unless it can reach its people through the printed word?

How can peace between nations be secured unless the masses of men learn to reason and to appreciate the values of other cultures than their own?

So as you stand in your classroom, confronting your students, I hope you will sense how vital it is that your students learn to think, not just to repeat what you tell them. I hope you will remember that what you accomplish with them may have a tremendous effect on the future of your entire country.

This morning I paid a happy visit to a little school in San Salvador that bears my name. Many of you will teach in such a school someday yourself. You will be using an exciting new device—educational television—as your assistant. It will be your link with this normal school, where you were trained.

I was trained in a normal school, too.

The children that you teach will be, increasingly, the citizens of Central America, as well as of El Salvador—children who understand the words of Alberto Masferrer, who said, "There are only two kinds of patriotism in the Americas: the old kind, small and fruitless, which worships boundaries and the stingy, rancorous yesterday; and the new one, which leaps over boundaries and joins hands and creates a strong, dignified present, laying the groundwork for a just tomorrow."

Education will mirror that new patriotism:

—Educational television that reaches all;

—University relationships that draw on the talents of each country;

—Microfilm libraries that make knowledge quickly and broadly available.

But the heart of all of it is going to be you—the indispensable teachers, the awakeners, the liberators. I believe the words of your national anthem: "In each man there is an immortal hero." It is your challenge—and your magnificent opportunity—to release that hero for the future's sake.

I want to congratulate Professor Aguillar, and particularly President Sanchez, for inaugurating what will be the first all-nation educational television in all the world.

We announced yesterday a loan to your country of $1,900,000 for educational television, and a gift or a grant of $700,000 additional to go into your educational television system.

Mrs. Johnson and I were greatly inspired and stimulated when we visited American Samoa a few years ago. There the Governor—Governor Rex Lee—showed us the educational television that he had brought to American Samoa.

We said then, and we repeat now, that our own Nation is far behind in educational television, and we must catch up—and we are going to catch up.

We brought Governor Lee back to Washington to work for the International Development Agency. We are happy that what is being done in American Samoa is going to be done and improved upon here in your country.

We are going to do everything that we can to see that the fruits of technology in this great, new technique of television are brought to the homes of all the people of all the world.

Before the end of this century, educational television will be as common in the homes of the people of the world as the little red schoolhouse was in my own country when I was a boy.

You don't know how proud I am, and how happy it makes me, to know that the people of the United States can look at American Samoa and look at you and try to learn from what you are going to be doing here.

When I return to the United States, I am going to talk to our public broadcasting commission, headed by Mr. Pace, and talk to some of our other leaders, to see if I can't get the United States as progressive and as interested in educational television as your own President, President Sanchez, and the people of his country are interested.

Now, I want to say this before I leave: that every teacher and every potential teacher should hear these words that I have repeated from the lips of a great educator and a former President of the Republic of my State: "An educated mind is the guardian genius of democracy. It is the only dictator that free men will acknowledge, and it is the only ruler that free men will accept."

Your President told me coming here about what a wonderful visit we were having, and how hospitable your people had been to open their arms to us. He said that he had never seen anything like it.

I said, "Mr. President, we have never seen anything like what you are doing—bringing educational television to an entire nation. I wish we could say that we have done that in the United States, but we cannot. But you can say that you have already made the beginning to being the first nation in all the world with a complete educational television system. And some day we hope the United States can catch up with you."

Now, before we say goodby, I want to congratulate all the people of this great nation for the beginning that you have made. I want to tell you how proud we are of your adventure. I hope I will be able sometime to come back and see your system after it has developed more fully.

NOTE: The President spoke at 1:18 p.m., c.s.t., at the Alberto Masferrer Normal School, San Andres, El Salvador. The school will be the center for the new instructional television for all of El Salvador of which the President spoke.

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23. VETERANS BILLS

Statement by the President Upon Signing Three Bills To Broaden and Improve Veterans' Benefits. July 27, 1968

America does not forget the long legion of brave men who have served in freedom's cause. We care for all of them.

—the 23 million veterans of our wars;
—the 70,000 servicemen now returning to civilian life each month;
—their dependents and survivors.

Their sacrifices have earned our people's gratitude; their needs demand our Nation's concern.

Today, I sign three measures that broaden and improve veterans' benefits.

The first gives those who need vocational rehabilitation the right to choose such training on a part-time basis, so they may work even as they learn. The other bills enable the Federal Government to increase payments to State and community veterans' homes to assure even higher standards of care for our former servicemen.

These three bills will help provide and sustain decent standards of care and imaginative programs of help for the men who have fought our wars.

With them we make another payment on a debt as real, and as honorable, as any national obligation.

We will not rest until we have done all we can to satisfy that debt.

NOTE: As enacted, H.R. 7481 is Public Law 90–429, H.R. 14954 is Public Law 90–431, and H.R. 16902 is Public Law 90–432, all approved on July 26, 1968.

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24. Health Manpower Act of 1968

Statement by the President Upon Signing Bill Extending and Improving Federal Health and Medical Programs. August 17, 1968

The dramatic breakthroughs in medical and health research will be of little value if skilled personnel are not available when patients need them.

Today, our needs for physicians, dentists, nurses, sanitarians, and other professional and technical health workers outstrip both our current supply and present educational capacity:

—Long waiting periods for medical and dental care are common.

—Hospital beds remain empty for lack of staff.

—Our air and water are polluted—and we are short of trained experts to combat these plagues.

—One university is already phasing out its dental school program; another may be forced to close within a year.

—Several medical schools require special assistance if they are to remain open.

In the past 5 years, we have begun to act to remedy these conditions.

Students have received loans and other financial assistance to enable them to prepare for health careers. New schools have opened their doors, and others have significantly expanded their facilities. Schools have been assisted in strengthening their teaching programs so that students they are training are realistically prepared to provide health care.

This bill I am signing today authorizes not only the continuation of these programs but their acceleration.

The "Health Manpower Act of 1968" will extend and strengthen these laws which are due to expire June 30, 1969:

—The Health Professions Educational Assistance Act of 1963, as amended;

—The Nurse Training Act of 1964;

—The Allied Health Professions Personnel Training Act of 1966;

—The Health Research Facilities Act of 1965, as amended;

—The authorities of sections 306 and 309 of the Public Health Service Act for public health traineeships and for project grants for graduate and specialized training in public health.

This legislation will mean more new schools of medicine, dentistry, nursing, and the other health professions, and more space in existing schools.

It will mean additional authority to assist schools that are in serious financial straits.

It will mean that institutions will be better able to plan and establish new programs.

It will mean that students will be helped to complete their training in the various health professions. Particularly, it provides realistic scholarship support for students of nursing. This assistance is of utmost importance in giving opportunity to able students from families of limited income.

This is a major measure in our battle for better health. It will strengthen our efforts to prepare today those who must serve us tomorrow.

NOTE: As enacted, the bill (S. 3095) is Public Law 90–490, approved August 16, 1968.

The statement was released at Austin, Texas.

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25. AMERICAN EDUCATION WEEK, 1968

Proclamation 3863. August 27, 1968

By the President of the United States of America a Proclamation

Education—universal, equal, and excellent—is a goal which we have cherished since our country's birth.

In the last decade, however, we have sought to fulfill this goal with greater zeal, greater commitment, and greater success than at any period in our history.

We began with new laws, creating the legal authority to translate our vision of educational opportunity into reality. This year we celebrate the 10th anniversary of the first great new Federal education law, the National Defense Education Act.

This historic law—and dozens which have followed it—has already had a profound effect on American life, and has increased immeasurably our most precious resource: the knowledge and understanding of our people.

To encourage and strengthen America's national fervor for education and to broaden support for America's schools and colleges, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the period of November 10 through November 16, 1968, as American Education Week.

It is my deep conviction that our noblest national task is to lead each citizen to fulfill his own potential. In the belief that our national strength derives from the strength of individual citizens, I call upon every American to work toward an even better educational system in America—a system which will truly deepen and enrich American thought, and truly ennoble life for every man.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of August in the year of our Lord nineteen hundred and sixty-eight and of the Independence of the United States of America the one hundred and ninety-third.

LYNDON B. JOHNSON.

[Filed with the Office of the Federal Register, 10 a.m., August 28, 1968]

NOTE: The proclamation was released at Austin, Texas.

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26. "STAY IN SCHOOL"

Proclamation of a National "Stay in School" Campaign. August 30, 1968

By the President of the United States of America a Proclamation

We can be proud that the percentage of school-aged children dropping out of school has decreased steadily in recent years. But too many children still do not complete their high school education. This year, an estimated 800,000 youth will not return to their high school classrooms in the fall.

A high school education is no guarantee of success. But it is an important first step on the road to a fuller life. Unfortunately, those who are most economically disadvantaged are most likely to drop out of school. By doing so they cripple their capacity for escaping the cycle of poverty. The future of the nation itself is mortgaged to higher welfare and dependency costs—and to costly remedial measures that must repair the damage of early failures to stay in school.

While those who abandon their classrooms have much in common, their reasons for leaving are very individual. Our response must be equally personal. A parent, a teacher, a friend, a volunteer, can make all the difference to a lonely or frustrated young person. Schools themselves must make every effort to encourage regular attendance—by making the classroom experience as relevant and interesting to their students as possible.

To emphasize the importance of this task, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim a national "Stay in School" campaign.

I call upon the American people to make this campaign successful by ensuring that the schools in their communities are responsive to the needs of all their young people.

I ask young and old alike to participate personally in this campaign through their schools, their organizations, their local governments.

Whenever any one of us is in a position to help a youngster to stay in school—through individual counsel, encouragement and assistance—I most earnestly urge him to do so.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord nineteen hundred and sixty-eight and of the Independence of the United States of America the one hundred and ninety-third.

LYNDON B. JOHNSON.

NOTE: The proclamation was released at Austin, Texas. It was not filed with or numbered by the Office of the Federal Register before the cutoff time of this issue.

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27. NATIONAL DEFENSE EDUCATION ACT

Statement by the President on the 10th Anniversary of the Act

About 10 years and 1 month ago, I made a speech to my Senate colleagues about a bill we were acting upon.

"History may well record," I told them, "that we saved liberty and saved freedom when we undertook a crash program in the field of education . . . I hope this bill is only the forerunner of better things to come."

Today, as we celebrate the 10th anniversary of that law, we may not yet be able to prove that NDEA saved liberty—but surely it has enriched and strengthened the freedom we enjoy. And surely that bill—the first large-scale modern program of Federal aid to education—has proven to be "the forerunner of better things to come."

In 10 short years, this great program has provided three billion Federal dollars at points of critical need in our educational system.

In 10 years, we have awarded 2½ million student loans and 25,000 graduate fellowships.

In 10 years, departments of science, mathematics, languages, and other critical studies have received $500 million—to provide untold numbers of microscopes, textbooks, films, classrooms, and laboratories.

But the real importance of this law lies beyond all that. What gives this law its special place in history is more than dollars and books and classroom equipment.

First, this law—the National Defense Education Act—ended years and years of debate about one controversial question: "Shall the Federal Government, with all its massive resources, get directly involved in aiding American education?" The answer this law gave was a loud "Yes!"—and thus we paved the way for a new era of support for education in America. This law, in fact, helped make possible more than 50 new education laws passed in my administration.

Second, this law has become a special symbol of our Nation's most important purpose: to fulfill the individual—his freedom, his happiness, his promise.

A great deal has happened since President Eisenhower signed this law in early September, 10 years ago.

That year, the space age was in its infancy, and earth satellites were scarcely larger than basketballs. Today, men walk in space, and our knowledge in almost every area is wider and deeper.

Many things which we thought were important 10 years ago no longer concern us; the world changes, and we have changed.

But the central importance of this law remains.

That is why we call it a "landmark"—because it stands out against the landscape. It reminds us, as a people, where we have been; where we are now—and where we are going in our journey toward fulfillment for the individual.

NOTE: President Eisenhower approved the National Defense Education Act (Public Law 85–864, 72 Stat. 1580) on September 2, 1958.

The above item, released by the White House Press Office on September 10, 1968, in New Orleans, La., during the President's visit there to speak before the 50th annual convention of the American Legion, was inadvertently omitted from the Weekly Compilation of Presidential Documents dated Monday, September 16, 1968.

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28. NATIONAL ADVISORY COMMITTEE ON ADULT BASIC EDUCATION

The President's Message to the Congress Transmitting the Committee's First Annual Report. September 16, 1968

To the Congress of the United States:

It is with a sense of pride, but also with a sense of urgency, that I transmit to you the First Annual Report of the National Advisory Committee on Adult Basic Education.

Today, more Americans are in school than ever before. More are receiving high school and college degrees. More go on to graduate school.

However, despite these encouraging advances, more than 24 million of our adult citizens, one adult out of every five, still do not have the equivalent of an eighth-grade education.

With the establishment of the Adult Basic Education Program, the Congress created a vital tool for the building of a better America. Since 1965, the program has sought out and served more than a million undereducated adults.

Many participants in the program have now left the welfare rolls, obtained employment, and received raises and promotions.

Others have taken vocational training in high schools. Still others have achieved high school equivalency ratings.

Most significantly, there has been a heartening change in the attitudes of these million Americans. They have gained pride and self-respect, ambition and determination, and they have begun to participate in their communities.

But the job is far from finished. Every year, more than a million young people drop out of school and become potential candidates for the adult education program. Hundreds of foreigners come to our shores without an educational background adequate to enable them to lead productive lives.

This report presents a vivid picture of the challenges ahead for the Adult Basic Education Program, and I commend it to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE,
September 16, 1968.

NOTE: The report entitled "Adult Basic Education—Meeting the Challenge of the 1970's, First Annual Report of the National Advisory Committee on Adult Basic Education to the President of the United States and Secretary of Health, Education, and Welfare, August 1968, (58 pp., processed), was made available with the release.

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29. HANDICAPPED CHILDREN'S EARLY EDUCATION ASSISTANCE ACT

The President's Remarks at the Signing Ceremony. September 30, 1968

Secretary Cohen, Members of Congress, my friends:

One way that we can measure our country's total concern for the individual is to measure our efforts to help the least fortunate—the least able.

The bill that we will sign here in the Cabinet Room this afternoon is a testament to our country's concern for 5½ million of these unfortunates—5½ million handicapped children: the blind, the mentally retarded, the crippled, the palsied.

Those children and their plight touch every one of us. And I believe that they have a very special claim on all of our services.

We have learned that more than 50 percent of the handicapped youngsters can have their condition substantially improved—sometimes it can even be cured—if they get help and attention and the medical counseling they need early enough.

Yet, only 2 million of the Nation's 5½ million handicapped children are in reach today of the Nation's special educational programs. We think this bill will help us to change all of that because it will provide from 70 to 100 model educational centers throughout the Nation to help the handicapped.

The centers will give a very important boost to pre-school education for the handicapped. And they will be a spur to the local and State agencies to try to improve their programs that they are handling for the handicapped. Most important, these new centers should bring new hope to families and children who very much need and who very much deserve our help.

No one could doubt the determination of these youngsters, not if you have ever seen a crippled child struggle to walk across a room or seen a little retarded girl trace a picture again and again and again, determined to get it just right.

No one can doubt the value and the wisdom of this law.

It gives me very special pleasure to think about the good that is going to flow from this legislation—to think about the lives that it is going to touch and the lives that it is going to help.

I am glad to sign this bill and I appreciate very much that Members of Congress, who are present this afternoon, took the leadership in making it possible to have it passed.

NOTE: The President spoke at 5:19 p.m. in the Cabinet Room at the White House. As enacted, the bill (H.R. 18763) is Public Law 90–538.

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30. YOUNG PEOPLE IN FEDERAL SERVICE

The President's Memorandum to Heads of Departments and Agencies Calling for the Study and Evaluation of All Aspects of Career Training. October 10, 1968

We in the Federal Government have the responsibility—indeed the challenge—to attract talented young people to employment in the Federal service and to develop them to the highest level of their ability. At this time, that challenge is a particularly compelling one.

Young people today display an unprecedented desire for direct involvement and participation in the difficult problems facing our nation. If channelled fully, their energy, questioning spirit, and idealism could become critical forces in renewing and refreshing our governmental institutions.

In this age of constant change, yesterday's theories about career training soon become irrelevant to the needs and demands of the new generation. It is time to reexamine our assumptions; it is time for a fresher and closer look at our systems for recruiting, selecting, placing, training, and above all, utilizing career trainees.

I am, therefore, asking each department and agency to create a committee through which young trainees representing various disciplines and programs can review and evaluate all aspects of the systems through which they have become part of the Federal workforce. Members of the committee should include representatives from:

1. the present and recent past career trainees
2. your immediate staff
3. your personnel office
4. line managers and supervisors who have worked with career trainees.

The director of your committee should be an individual who is genuinely interested in the development of young people, who can effectively direct the committee's operations and who can keep you regularly informed of its progress.

I suggest four questions for initial exploration:

1. through what channels does your agency insure that the ideas and suggestions of young employees are solicited and considered by the managers with authority to act?
2. to what extent do career trainees participate directly in the design of their training programs and in the structure and content of their work assignments?
3. to what extent can young people working in the Federal government serve as a link between the government and the student community?
4. how can minority group participation in career training programs be increased?

I am asking the Chairman of the Civil Service Commission to coordinate the efforts of all the agency committees. He will be in touch with you very soon concerning this study.

LYNDON B. JOHNSON.

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31. EDUCATION BILLS

The President's Remarks Upon Signing the Higher Education Amendments of 1968 and the Vocational Education Amendments of 1968. October 16, 1968

Secretary Cohen, distinguished Members of the Congress, distinguished guests, ladies and gentlemen:

If they would let me climb up there to where those television cameras are, I would like to shout this from the rooftops. "We have come here this morning to sign education laws number 59 and 60 since the beginning of this administration."

I suppose that every one of the men who has had the experience of enduring the "splendid misery" of the Presidency must have come to this office with one dream—maybe two or three—that was more special than the rest. I am certainly no exception.

If I could do anything—I told myself when I became President—in this office, I wanted to do one thing: That was to advance education among all of my people. I wanted every human being to have an opportunity to get all the education that he or she could take. Education for every child. Education for every man and woman. Education from preschool to Ph.D. education for Pancho, the little Mexican-American Head Start boy, age 4; and education for his great-grandpa, an old farmer, age 74, who always—all of his life—wanted to learn to read, and to sign his name without marking an "X."

Exactly 4 years and 10 months ago today, I invited some of you same men here to the White House. You witnessed the signing of one of the first bills of my administration: The Higher Education Facilities Act.

A Governor called me this morning and asked me to come to his State Saturday a week, to observe some of the results of that act. I wish he had not called so early. That is why I am late.

Two days after we signed that bill, I invited you back to the White House to the signing of another bill: The Vocational Education Act of 1963.

In the months and years since then you have been coming back here, sometimes often, but you have been coming again and again. You have been joining me in helping to build, brick by brick, law by law, a new and a better system of education in America.

I think every person in this room can understand the meaning of this moment because nearly every person in this room helped make this moment possible. Your imagination, your devotion is reflected in every line in those bills.

The first act I will sign today—the Higher Education Act—is a complex law. It extends the National Defense Education Act of 1958, passed during President Eisenhower's administration; the Higher Education Facilities Act that I referred to a moment ago, we signed in 1963; the Higher Education Act of 1965; the International Education Act of 1966.

It authorizes, in addition, seven new programs ranging from the purchase of special equipment for poor students to complicated, modern communications networks among universities. This very complex law, though, has a very simple purpose: That purpose is to assure that all of America's future scientists, engineers, businessmen, doctors, and statesmen will have available the best this Nation can provide.

For millions of students who choose not to go to college, the vocational education measure promises the same thing. It will give students a chance to provide for useful, satisfying work—by learning in school and by training on the job. They will rescue thousands of worthy young men and women from failure and frustration.

So here we are, my friends, 60 laws later.

We can count the laws. But no one can count the lives that these laws have and will change. How many bright youngsters have been discovered and inspired who might otherwise have been ignored? How many families have fulfilled the dream of college for their children? The answers to those questions, I think, explain to you why I feel as I do about education.

We believe, that is, you and I, that education is not an expense. We believe it is an investment. The 10 talents multiply. They return in the shape of economic growth. They return in the shape of better government. They return in the shape of a higher standard of living for all of us.

But the most important value lies beyond all of these things. When we advance learning, free men enter a new world of opportunity and experience. If we reject learning, we render ourselves dead to the past and lost to the future.

But standing in this room, we are not dead to the past. Here in this room we can hear the echo of Thomas Jefferson's words: "The most important bill in our whole code," he said, "is that for the diffusion of knowledge among the people. No other sure foundation can be devised for the preservation of freedom and happiness."

And we are not lost to the future. For those who have labored in this cause will be remembered—and that means all of you—as the men and the women who did much, as Jefferson said, "For the preservation of freedom and happiness." I don't know of any higher tribute that could be paid to any man or woman than to say that he fought the battle hard, he fought a good fight, and he preserved freedom and happiness, particularly in this hour when it is challenged in all corners of the world.

I was observing just last week a statement in an intelligence report. It said that in some 20 to 30 countries in the world people had gone in and taken over the universities and seized them. So it shows that in this critical hour that there is a great deal of restlessness in the Nation. It shows that we have much yet to do in the field of education, not only here at home, but throughout the world.

Thank you very much.

NOTE: The President spoke at 12:01 p.m. in the East Room at the White House.

As enacted, the Higher Education Amendments of 1968 (S. 3796) is Public Law 90-575 and the Vocational Education Amendments of 1968 (H.R. 18366) is Public Law 90-576.

32. Eisenhower College

The President's Remarks to Reporters Upon Signing Supplemental Appropriation Act, 1969, Including Funds for the College at Seneca Falls, N.Y. October 21, 1968

In case you might be interested in what this is, this is a supplemental appropriation bill. I think that those of you who covered the White House at that time will remember one of the real fine breakthroughs in education nationally was the National Defense Education Act.

It was passed in 1958 during the Eisenhower administration. We have found that it is one of the basic acts of higher education. It provides assistance where people can pursue their college education. We have tried to add to it and build on it.

We have already signed 60 education bills. We have talked a lot about the matters that have come up.

Because of General Eisenhower's very deep interest in education, particularly poor boys and girls getting an opportunity to go to college, that act was passed.

This really is the 61st education measure. It provides $5 million for a college named in President Eisenhower's honor, the Eisenhower College.

I believe there is a condition that they raise local funds or they raise matching funds to go with that $5 million, so it really means $10 million for higher education.

Eisenhower College is located in the State of New York. General Schulz is here today to receive this pen. We will give him one to send to the Eisenhower College.

I am sending by General Schulz a letter to General Eisenhower. It says:

"It was with great pleasure that I signed today an appropriations measure granting funds for Eisenhower College.

"To all of us, your name symbolizes the highest in character, devotion to duty, and love of country. Surely no tribute to those qualities of yours could be more fitting than an institution of higher learning. This grant, and the college it will help to build, are a token of the love and admiration your countrymen feel for you.

"I'm proud to count myself your friend, and to be associated with this noble enterprise."

This is a pen for the General, and one for Mrs. Eisenhower.

Please tell General Eisenhower that we recall with great satisfaction the real pioneering education breakthrough, the National Defense Education Act. I know it will bring some pleasant memories to him.

NOTE: The President spoke at 1:06 p.m. in his office at the White House.

As enacted, the bill (H.R. 20300) is Public Law 90–608.

In his remarks the President referred to Gen. Robert L. Schulz, personal assistant to General Eisenhower.

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33. SESQUICENTENNIAL OF SAINT LOUIS UNIVERSITY

Statement by the President Upon Signing Joint Resolution Extending Greetings and Felicitations on the 150th Anniversary of the Founding of the University. October 21, 1968

I have today signed H.J. Res. 691. The resolution extends greetings and felicitations of the United States Government to Saint Louis University in Saint Louis, Mo., in connection with the 150th anniversary of its founding. Saint Louis University was founded in 1818 and formally chartered by the General Assembly of Missouri in 1832. It was the first institution of higher learning established west of the Mississippi River. It was founded by members of the Society of Jesus who came to Missouri with the cooperation and aid of the then Secretary of War, John C. Calhoun.

In its century and a half the University has enhanced the prestige of American scholarship and scientific research. During this period it has contributed much to the advancement of learning, the betterment of the professions, and the enrichment of the community.

Among its many graduates have been members of the Cabinet of the President of the United States, Congressmen, Senators, Governors, and other prominent statesmen.

In all—a distinguished record for a distinguished university.

It is with great pleasure that I salute Saint Louis University on its 150th birthday.

NOTE: As enacted, H.J. Res. 691 is Public Law 90–611.

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34. VETERANS EDUCATIONAL BENEFITS

The President's Remarks Upon Signing Bill Extending Benefits to Veterans, Wives of Disabled Veterans, and Widows of Servicemen and of Veterans Who Died Due to Service-Connected Injuries. October 23, 1968

Administrator Driver, Chairman Olin Teague, distinguished Members of Congress, ladies and gentlemen:

When President Franklin Delano Roosevelt signed the first GI bill of rights back in the year 1944, that legislation was looked upon as the largest veterans bill ever passed by the Congress. As we meet here in the Cabinet Room today for another signing ceremony, we look back upon this measure as one of the largest education bills ever passed.

In 1944, this GI bill was considered a reward for military service. But today, we realize that it was really one of the very best investments that we ever made for the future of our own country.

What we have spent on the GI bill has already come back to us many, many fold. Not only the original bill, but the Korean bill, and the current GI bill.

The Bible tells us: "Whatsoever a man soweth, that shall he also reap." Today, we are going to sow some more education seeds with this measure—the additions and extensions of the GI bill.

First, I would hope that the country could recognize what our taxpayers and our Congress have laid down as a matter of policy so that they could understand that we do face up to some of our problems and we are somewhat understanding and generous in meeting those problems.

We are going to guarantee a full 4 years of college for 2 years of service by giving the men who wear our uniform a month and a half of education credit for every month of uniform service. The maximum ratio is now a month for a month.

Second, we are going to broaden and extend the educational benefits:

—To the widows of those who lost their lives in service for us or as a result of some service-connected injury.

—And to the wives of permanently disabled veterans, the benefits will be extended.

Thus, you should realize that we are opening the doors of all of our universities to almost a quarter of a million women.

Thus, we are providing for a full education for hundreds of thousands of returning servicemen.

A veterans bill—yes. But most important of all, an education bill that will not only recognize the veteran's service, but will enrich the Nation that he fought and gave his blood to protect.

To Chairman Teague, who through the years has served his country in uniform and in the Congress as the Chairman of this important Committee, to the ranking minority member of that Committee who is with us here this morning, the gentleman from Ohio, to Senator Long and the members of the Senate Committee and the Labor and Public Welfare Committee, to my own colleague, Senator Yarborough, to all of those who through the years have given special attention to veterans legislation, I commend them and thank them for their efforts.

Particularly do I want to recognize the services and the wisdom demonstrated by one of our career men, the man that all the veterans organizations and the men of both parties recommended to me as the Veterans Administrator, Mr. Bill Driver.

He has been a model of a public servant. And his ability to deal with these very delicate problems, with men who have suffered disabilities, and who are trying to be readjusted to life—it is just beyond compare.

So as I leave this office, I want to say to Mr. Driver that if I could leave one wish behind me, it would be that all civil servants could handle their job like you handle yours and that we could have more civil servants in top administrative positions.

Thank you.

NOTE: The President spoke at 12:05 p.m. in the Cabinet Room at the White House. As enacted, the bill (H.R. 16025) is Public Law 90-631.

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35. WHITE HOUSE FELLOWS ASSOCIATION

Remarks of the President and Mrs. Johnson at the Ceremony for the Presentation of the Association's Report on Relations Between College Students and the Federal Government. October 29, 1968

Chairman Macy, Mr. Gardner, Mr. Humann, ladies and gentlemen:

You said something in your presentation about the need to communicate better and the need for people to listen. Well now, we have a Deputy Press Secretary who is in charge of communications around here who is a White House Fellow. If there is anything wrong with the communications I want to refer you to Mr. Tom Johnson.

I had a late evening last night and I awoke this morning, turned on the television and there was a White House Fellow communicating with me before I had my coffee.

Now, I am just getting to where I can start with the evening mail. I have several White House Fellows communicating with me. I even understand that two of the former White House Fellows are running for office. That may be one reason I am not running this year. But both of these are Republicans. Now, this is a nonpartisan group, so I am not going to discuss politics at any length, but I do want to say that all the other results of the program that I have observed have been highly satisfactory. And I can understand the two that are running for office as Republicans, because we Democrats spend a good deal more time training our candidates.

I am very pleased to have your report. I think it is excellent. I hope it gets the distribution that it deserves.

I think the central point of it is a very crucial one. As I see it, it is this: How can we really involve the young people in the institutions that are shaping their own destiny?

This problem, as all of us have seen recently, is not just an American problem. It is a problem facing governments and young people all over the world. I observed the other day that I had seen in a very recent report where young people were involved in university confrontations in more than 25 nations. It is not strictly a local situation.

I sense a healthy dualism in this report. It seems to be a demand for youth's separatism, independence, and autonomy combined with a desire for youth's full-scale integration into the adult society. And I understand these parallel themes.

On the other hand, the advantages of a separate youth enterprise are many—if it could be created as a somewhat loose, freewheeling operation it might be able to experiment on a wide range of new approaches. If it were freed from existing administrative structures, it could serve as a pacesetter.

You have one of the real experts on administrative stuctures here. I don't know whether he can tell you how to stay free of them or not, but I am glad Mr. Macy has fathered this program from the very beginning. I think it is one of the many things he has done that we are all proud of.

Yet, on the other hand, the ultimate goal is not further polarization but true integration. I do not see the separate office as a way of putting an artificial structure around young people. Nor do I see it as a way of institutionalizing a generation gap or a bureaucratic gap or a cadre of gray-haired "youth" bureaucrats. I see its goal, I think, in much broader terms as the beginning step to open our entire political process to greater participation by young people.

The Presidential Scholars, the White House Fellows, the intern program, the young men and women in high positions in Government, those young folks like Alan Boyd, Ramsey Clark, and others who now sit in the Cabinet, all of that means that young people are participating in the decisions of their Government. And the more of them we can arouse and the more of them we can incite and the more of them we can inspire, the more we can stimulate, the better off government is going to be.

All of your recommendations are interesting and some can work out easier than others. I have already acted on one. Last week, I asked all of the departments to create a special committee to evaluate their training programs for young Federal employees.[1] I urged that the key element in their review process should be the participation of young people. As you pointed out, this just has not been done before.

Your suggestions for duplicating the White House Fellows Program on the local and State level is of great interest to me. Tom Johnson brought that to the attention of the Nation this morning in his television appearance. I am asking Governor Daniel, who is our liaison with the Governors of the States, and the Vice President, who represents us with the mayors, to transfer your recommendations to the Governors and to the mayors.

I would like to see every mayor and every city in the country have some program that was patterned after this one so that we could get young folks involved at the local level. I would like to see every Governor of every State do the same thing. What they do, of course, is a matter up to them.

Beyond the specific actions you have recommended here, certain other ideas have come to mind. Perhaps during the transition period, there might be a meeting here in the White House bringing together a wide variety of student leaders to discuss their ideas and to ask their suggestions as to the next steps that should be taken by the new President.

After I came into the White House, I asked the State colleges in every State in the Union to have their student presidents and their student editors and some of their student leaders that had been selected by the students themselves, to send them here for a meeting. We thought that was helpful. I am sorry we have not had more of them. We should have. I quite agree with you that we are not communicating with the youth as well as we should and, vice versa, they are not communicating with us.

I think the new President is going to discover, as I have, that the White House Fellows Program can be a very valuable resource. You have made it very clear to me that you have a very solid background of accomplishment. You have gained great experience in the Government. Now, through this report of the White House Fellows Association, I think you have shown that you are an effective body for working on unsolved problems and rather difficult problems. I hope that the White House Fellows and your Association will continue for many years in the service of America. I hope the Presidents who follow me will try to improve on this bare-bones beginning that we have made here.

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[1] For the President's memorandum asking agencies to create the committees, see the issue of October 14, 1968 (4 Weekly Comp. Pres. Docs., p. 1474).

Unless I can get all of you to go to Texas with me, I look forward to hearing from you and about you. I do not exaggerate when I say to the White House Fellows that I think you have great promise. As I told Mrs. Johnson, when Lyn and Lucinda first vote, I hope they will be voting for a member of this Association.

You may observe that I am already not only interested in the voting processes of younger people, but I am also trying to recruit new members for youth.

MRS. JOHNSON. I love this very much. Thank you all, more than I can say. For what is now almost 5 years that we have been in this house, there have been dozens and dozens of state dinners and always at the center of the table a bowl like this sits with beautiful flowers in it. It is one of the pictures of the White House that I will always take away in my mind. I am just so very happy to also be able to take away the bowl.

One other slight touch to let you know how much I do value it. Some time ago, I suggested to Bess [2] that this would make really just the right present when we have a visiting king and queen or prime minister and his wife. So, this has often been our main state gift to visiting dignitaries from far away.

Thank you so much. I want to keep up with all of you White House Fellows. It has been one of the most exciting things about my stay here, knowing you all and your work.

NOTE: The President spoke at 5:35 p.m. in the Cabinet Room at the White House. The President and Mrs. Johnson, as "founders and sustainers of the White House Fellows Program," were presented with a vermeil bowl in a bamboo motif from the White House Fellows, 1965–68.

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36. NATIONAL COUNCIL ON THE ARTS

The President's Remarks at a White House Reception for the Council. November 21, 1968

Members of the Arts Council, ladies and gentlemen:

Mrs. Johnson and I have very much wanted to meet with the National Council on the Arts at least one last time to thank each of you from the bottom of our hearts for all that you have done to help your country.

As you all, I am sure, realize and as Mr. Stevens implied, artists and politicians have not always been too comfortable together.

One American President once looked at a painting and handed down this judgment. "If that's art," he said, "I'm a Hottentot."

But the American people—thank Heaven—do not ask their Presidents to be art critics. They have many assignments, but that is not one.

But the American people do, I think, have a right to expect of their President that he will encourage the arts; that he will foster, in every way he can, the inventive spirit of his people. And that we have tried to do in our small way.

These years have been years of excitement and controversy and I think a great deal of constructive activity in our country. Some of the liveliest activity, of course, has been in the arts—in the communities across the land; in the theaters and the galleries, the concert halls, and in our schools.

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[2] Mrs. Bess Abell, Social Secretary to the First Lady.

Part of that activity may be traced directly to the new commitment of government to the arts. Much of it, I am sure, can be traced to leadership such as Mr. Stevens', and to your dedication and to your enthusiasm.

I think that I know few men in public life that are deserving of more credit for service above and beyond the call of duty than Roger Stevens. I never thought that I would have the deep affection for him that I have after his wife harassed me with several thousand letters at one time about animals.

But I think now that Roger Stevens may be just the perfect public servant. Somehow or other he loves to do the impossible—and most of us think he does it very well.

I like the record of achievement that he has written. In the twilight of our career here in Washington, the end of some 37 years, we have reviewed in retrospect—looked back at what has taken place and summarized some of the record and some of the things that we have gloried in, the achievements, and some of the disappointments. They have been legion.

But Sunday I went out and spent some time with a very great lady who was the father and the mother of Federal education, Mrs. Eugene Meyer. And when she first started harassing me about Federal aid to education—I use that word tenderly and affectionately, "harassing"—we had about six education bills on the statutes of our land.

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I want to just conclude by saying that we have had meetings on education, on health, on conservation and on 20 consumer measures that we have passed. And, yesterday, we had a meeting in here on the 22 measures that we have passed for our veterans—such as the GI education bill where hundreds of thousands are going through college when they return and take off their uniforms—22 major veterans bills.

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NOTE: The President spoke at 6:36 p.m. in the East Room at the White House.

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37. EDUCATIONAL ASSOCIATION LEADERS

The President's Remarks on Being Honored for His Contributions in the Field of Education. December 27, 1968

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Dr. Carr, ladies and gentlemen:

There is not much that I can or should say after those beautiful remarks.

When I was a boy growing up, my mother frequently had all the children around the family table make pronouncements about what they wanted to be in life—what they wanted to grow up to be. It was very apparent to me, even at that early age, that mother wanted me to be a teacher or a preacher or a public servant.

Both of my parents had been teachers. My grandfather and great grandfather had been teachers. So I guess that early training led me into a teachers' college where I tried to prepare myself for the work that was ahead.

I enjoyed at least a few semesters in the college classroom with freshmen government students, in the high school where I acted as the principal, in the high school where I was the head of a department, and in the grade school that I really enjoyed most, where I worked with the poor Mexican children.

I had inculcated in me at a very early age the great importance of education, not only to our lives and to the happiness that we all sought and the advancement that we all desired, but the safety of our very system of government—because it doesn't make much difference how much brawn we have. If we don't balance it with brains, we will enjoy a certain insecurity.

The great President of our Republic of Texas, who emigrated there from Georgia, once said that education was the guardian genius of democracy. I have always felt that that was literally true; that if we are to guard and to be good trustees of this system of government, that while we are one of the youngest countries, we have one of the oldest systems of government—it has survived almost 200 years—we must have education.

I am very fearful that our efforts in that direction have been too minimal. They have been rather pathetic. You have had to have a good deal of charity in your heart to even belong to the teaching profession. We have shared relatively little of our resources and our wealth with the system of education which we rely on to protect our system of government.

We have tried to do something these last few years, and maybe have done some things—and I thank you, Doctor, for observing it—but we haven't even begun what needs to be done.

I was looking at a statement of the Secretary of the Interior this morning about the oil companies not believing in the oil shale development process enough to really make adequate bids on oil shale out in parts of our country.

I thought that if we could just take these resources, and all the other resources that are yet undeveloped, and somehow or other commit them to an education fund, how wonderful it would be.

We are not taking enough of our resources, of our gross national product, and committing it to the improvement of our minds, to the training of our children, to the preparation of our future citizens.

In elementary education, we passed the first bill in that field, but we are funding less than half of what the Congress has already committed and already authorized. I am not really proud of that. Although we are spending more than twice as much for education and health as we were just 5 years ago, that is moving along at a rapid clip, but not rapid enough.

So perhaps the country will look at their children—at their jewels—and agree that we ought to do more. That is what I hope they will agree to.

I am going home to really do three things, and only three things. They have me building empires, sailing ships, flying planes, leading astronauts, and everything else. But I am just not going to do any of those things. And I am not going to retire, either.

The first thing I am going to do is to enjoy being lazy and enjoy being with Lady Bird for a while. She will get tired of me before very long. But we are going to sleep late and not be worried about what may be said here or there. We will just take things easy.

Then the next thing I am going to do is just read, read, read, and read. I have enough books from Christmas—I got seven volumes on George Washington. I would feel better this morning if I hadn't plowed through one of them as long as I did last night—but he had some of the same feelings about the Presidency that I have, and you like to find a fellow who agrees with you. So I am going to read.

Then when I get through reading, I hope to be able to do some writing and some teaching. Next year I am going to make relatively few appearances—six or seven—two or three at the universities, at Rice Institute, San Marcos, and maybe one or two up in this area.

But a great deal of my time is going to be spent with young people. I am going to try to inspire them, stimulate and create in them a desire to be teachers or preachers or public servants, because I think you can get a satisfaction in those endeavors that you can't find in many others.

I am so grateful to you for this very generous and very thoughtful act. I am not responsible for what has been done nearly as much as you people who have come here and knocked down the doors, twisted the arms, and tried to help us bring these programs to reality.

But I will be with you in spirit and in deed, too, in the days ahead, in trying to make our commitments secure and increase them.

Thank you.

Now I am going to run, because I am told I have less than two minutes until the splashdown. But when we think about our boys in Cambodian prisons coming home, the *Pueblo* crew being released, and the Apollo men just short of the culmination of our dreams, the economy where we are, and all that has happened to us this Christmas, we Americans ought to quit this business of just going around talking about everything being wrong, because so many wonderful things have come to us that we ought to count our blessings and be thankful for them and for each other—and I am for you teachers.

NOTE: The President spoke at 10:40 a.m. in the Cabinet Room at the White House.

Dr. William G. Carr, formerly the Executive Secretary of the National Education Association' is Secretary General of the World Confederation of Organizations of Teaching Professions.

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38. THE PRESIDENT'S NEWS CONFERENCE OF DECEMBER 27, 1968

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EARMARKING OIL SHALE REVENUES FOR EDUCATION

Q. Mr. President, this morning you said something very interesting about using the oil shales as a possible resource for an education fund. Has anything specific been done to try to implement an idea like that?

THE PRESIDENT. It hasn't been developed very much yet. You know what has been done about trying to kind of examine and explore to see if the processes we have, with the estimates and values we have—we don't know really what it is worth, how much it is worth, until we get some bids. The bids weren't very good.

But back in, I guess, the late forties, I was very anxious to earmark—I haven't been too much of an earmarker as President—but as a legislator, I wanted to earmark all the Continental Shelf for education.

I do think we ought to give a good deal of thought as to how we can take our resources and dedicate them to such things as education. I think that is worthy of some exploration.

I, as a Member of the Senate, tried to bring about the earmarking. As you know, last year we all had a bill that Mrs. Johnson was interested in, in earmarking part of the Continental Shelf revenues for conservation, which we have done in acquiring public domain as extra land.

Q. How much do you estimate would be available for education?

The President. I wouldn't know at all. If there is no more than indicated by these last two bids, it wouldn't be very much. But there is a great variance of views there.

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NOTE: President Johnson's one hundred and thirty-fourth news conference was held in his office at the White House at 11:55 a.m. on Friday, December 27, 1968.

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